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Digest of State Pesticide Use and Application Laws - Guide for Analyzing Pesticide Legislation

Environmental Protection Agency, Washington, D C

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STATE

LAWS

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15. Supplementary Notes This is a reprint and update of an older publication of the same title.

16. Abstracts All State laws (about 120 as of June 1976) relating in some manner to pesticides, or to persons who use pesticides, have been divided into three groups, and those laws, or portions of laws, relating to the use and application of pesticides are included in this digest. The three areas are: Registration Laws, Use And Application Acts, and Consolidated Laws. The Use And Application Acts are divided into 5 other categories: Structural Pest Control Laws; Licensing And Certification Laws; Professional Examining Boards; Restricted Materials Laws; Aerial Applicator Laws.

17. Key Words and Document Analysis. 17a. Descriptors

State laws
pesticide use laws
application laws
guide for analysing pesticide legislation
registration laws
FIFRA
structural pest control laws
licensing and certification laws
professional examining boards
restricted materials laws
aerial applicator laws
consolidated laws

17b. Identifiers/Open-Ended Terms

17c. COSATI Field/Group

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GUIDE FOR ANALYZING PESTICIDE LEGISLATION

DIGEST OF

STATE

PESTICIDE USE AND APPLICATION

LAWS

ENVIRONMENTAL PROTECTION AGENCY
Office of Pesticides Programs
Operations Division

INTRODUCTION

THIS PUBLICATION REPRESENTS AN UPDATING OF PREVIOUS ISSUES HAVING THE SAME TITLE. THE FORMAT IS ESSENTIALLY THE SAME AS PREVIOUS EDITIONS, BUT SOME AREAS HAVE BEEN EXPANDED, PARTICULARLY THE "AUTHORIZATIONS" FOUND IN THE STATUTES (AND IN SOME CASES IN REGULATIONS). IT IS CURRENT THROUGH STATE LEGISLATIVE SESSIONS OF CALENDAR YEAR 1975.

CITATIONS FOLLOW THE HARVARD LAW REVIEW RECOMMENDATIONS AS FAR AS POSSIBLE. THE YEAR SHOWN IN THE CITATION IS GENERALLY THE YEAR THE REFERENCE VOLUME WAS PUBLISHED OR COPYRIGHTED.

ALL STATE LAWS (ABOUT 120) RELATING IN SOME MANNER TO PESTICIDES, OR TO PERSONS WHO USE PESTICIDES, HAVE BEEN DIVIDED INTO THREE GROUPS, AND THOSE LAWS, OR PORTIONS OF LAWS, RELATING TO THE USE AND APPLICATION OF PESTICIDES ARE INCLUDED IN THIS DIGEST.

1. REGISTRATION LAWS:

REGISTRATION LAWS ARE THOSE WHICH REGULATE THE PRODUCTION AND MARKETING OF PESTICIDES BY REQUIRING COMPLIANCE WITH REGISTRATION AND LABELING CRITERIA PRIOR TO SHIPMENT IN COMMERCE. THEY HAVE OFTEN BEEN REFERRED TO AS "ECONOMIC POISON LAWS," "PESTICIDE CONTROL LAWS," OR INSECTICIDE, FUNGICIDE AND RODENTICIDE ACTS. MORE RECENT ENACTMENTS USUALLY USE THE TERM "PESTICIDE" SOMEWHERE IN THEIR TITLES AND HAVE DROPPED THE TERM "ECONOMIC POISON" IN THE DEFINITION SECTION. THE REGISTRATION LAWS ARE QUITE DIFFERENT FROM THE USE AND APPLICATION LAWS, IN THAT THEY RELATE TO CHEMICALS OR SUBSTANCES AND NOT TO PEOPLE WHO USE THEM.

THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT, (FIFRA), WHICH WAS AMENDED BY THE FEDERAL ENVIRONMENTAL PESTICIDE CONTROL ACT OF 1972 (FEPCA), RELATES TO DEFOLIANTS, DESICCANTS, DEVICES, FUNGICIDES, INSECTICIDES, NEMATOCIDES, PLANT REGULATORS, RODENTICIDES AND HERBICIDES (I.E., SUBSTANCES OR MIXTURES OF SUBSTANCES INTENDED FOR PREVENTING, DESTROYING, REPELLING, OR MITIGATING PESTS), BUT RETAINS THE TITLE ENACTED IN 1947. FEPCA AMENDED PRACTICALLY EVERYTHING IN FIFRA, EXCEPT THE TITLE. PRIOR TO 1972, FIFRA WAS A REGISTRATION LAW RELATING TO INTERSTATE COMMERCE, WHILE STATE REGISTRATION LAWS WERE AND STILL ARE RESTRICTED TO INTRA-STATE COMMERCE. FIFRA NOW RELATES TO SHIPMENTS OF PESTICIDES IN COMMERCE, AND (AFTER 1972) TO THE USE AND APPLICATION OF PESTICIDES.

ALL STATES HAVE REGISTRATION LAWS.

2. USE AND APPLICATION ACTS:

A. STRUCTURAL PEST CONTROL LAWS - RELATE TO CONTROL OF PESTS IN STRUCTURES AND ON PREMISES. THESE WERE THE EARLIEST FORMS OF STATE PESTICIDE CONTROL LEGISLATION AND INITIALLY REGULATED FUMIGATION OF DWELLINGS FOR HEALTH PURPOSES; LATER, EXPANDED TO INCLUDE WAREHOUSES, STORAGE AND TRANSPORTATION STRUCTURES, AND TERMITE CONTROL. SIXTEEN STATES HAVE SEPARATE STATUTES WHICH RELATE ONLY TO STRUCTURAL PEST CONTROL. OTHER STATES INCLUDE STRUCTURAL PEST CONTROL AS ONE CATEGORY OF THEIR GENERAL USE AND APPLICATION LAWS.

B. LICENSING AND CERTIFICATION LAWS - REQUIRE EXAMINATION AND LICENSING OR CERTIFICATION OF PERSONS WHO USE PESTICIDES. THEY NORMALLY REQUIRE A BUSINESS LICENSE TO ENGAGE IN PEST CONTROL. IN ACCORDANCE WITH REQUIREMENTS OF FIFRA, ALMOST ALL RECENT STATE PESTICIDE LAWS REQUIRE EXAMINATION AND LICENSING OR CERTIFICATION OF PERSONS WHO WISH TO USE "RESTRICTED USE PESTICIDES." THE TERMS LICENSE, LICENSED, CERTIFY, CERTIFIED, AND CERTIFICATION USED IN RECENT STATE STATUTES HAVE NOT ALWAYS BEEN WELL DEFINED.

C. PROFESSIONAL EXAMINING BOARDS - REGULATE PERSONS IN PROFESSIONS CONCERNED WITH THE USE AND APPLICATION OF PESTICIDES, SUCH AS ENTOMOLOGISTS, PATHOLOGISTS, HORTICULTURISTS AND WEED CONTROL SPECIALISTS. SOME PROFESSIONS WHICH OCCASIONALLY USE PESTICIDES IN THEIR PRACTICE (E.G., DOCTORS OF MEDICINE, AND DOCTORS OF VETERINARY MEDICINE) ARE GENERALLY EXEMPTED.

D. RESTRICTED MATERIALS LAWS - PROHIBIT OR RESTRICT USE OF CERTAIN PESTICIDES AND MAY REQUIRE THE PURCHASER TO OBTAIN A PERMIT BEFORE PURCHASING, POSSESSING, OR USING CERTAIN RESTRICTED MATERIALS; AND MAY REQUIRE DEALERS IN SUCH COMMODITIES TO BE EXAMINED AND LICENSED. ONLY A FEW STATES HAVE THESE STATUTES SEPARATE FROM THEIR GENERAL PESTICIDE CONTROL LAWS.

E. AERIAL APPLICATOR LAWS - SEPARATE LAWS RELATING ONLY TO THE QUALIFICATION OF PERSONS WHO APPLY PESTICIDES WITH AIRCRAFT. THEY REGULATE QUALIFICATIONS OF PILOTS AND REQUIRE KNOWLEDGE OF AERIAL APPLICATION OF PESTICIDES. FOUR STATES HAVE SUCH STATUTES; FEDERAL REGULATIONS ALSO COVER THIS AREA OF PESTICIDE USAGE AND ARE FOUND IN THE CODE OF FEDERAL REGULATIONS TITLE 14, SECTION 137, (14 CFR 137).

3. CONSOLIDATED LAWS:

FIFTEEN STATES HAVE COMBINED REGISTRATION AND USE AND APPLICATION LAWS INTO ONE ACT, BUT 3 OF THESE 15 STATES HAVE KEPT THE STRUCTURAL PEST CONTROL LAW AS A SEPARATE STATUTE AND GENERALLY ADMINISTER IT THROUGH SEPARATE UNITS OF GOVERNMENT.

STATE PESTICIDE CONTROL LAWS GOVERNING TOLERANCES FOR PESTICIDE RESIDUES IN OR ON RAW AGRICULTURAL COMMODITIES ARE NOT INCLUDED IN THIS DIGEST, SINCE THOSE STATES WHICH HAVE SUCH PROVISIONS GENERALLY FOLLOW SECTION 408 OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT (MILLER AMENDMENT) AND ACCEPT FEDERALLY ESTABLISHED TOLERANCES.

THIS EDITION OF THE DIGEST IS A COMPUTER PRINT-OUT OF INFORMATION STORED IN THE EPA COMPUTER. PREVIOUS EDITIONS WERE PREPARED MANUALLY USING CONVENTIONAL TYPEWRITERS. WHILE THERE ARE CERTAIN DISADVANTAGES (PARTICULARLY IN STYLE) TO COMPUTER PRINT-OUTS, THE EASE IN CHANGING TEXT AND MAKING OTHER REVISIONS AS LAWS ARE ENACTED, AMENDED, OR REPEALED, MORE THAN OFFSETS THE ADVANTAGES OF MANUAL PREPARATION.

CURRENT DIGESTS OF STATE PESTICIDE AND USE AND APPLICATION LAWS CAN BE OBTAINED AS COMPUTER PRINT-OUTS BY EPA REGIONS FOR AGENCY USE. THERE IS A CERTAIN AMOUNT OF TIME LAG BETWEEN ENACTMENT OF STATE PESTICIDE LEGISLATION AND DIGEST UPDATES. IN THE CASE OF REGULATIONS, CONSIDERABLE TIME MAY ELAPSE BETWEEN THE ENACTMENT OF THE LAW AND PROMULGATION OF RULES AND REGULATIONS. ADDITIONALLY, FEW STATE LAW LIBRARIES MAINTAIN COPIES OF STATE REGULATIONS. ONLY A MINORITY OF THE STATES HAVE ADMINISTRATIVE PROCEDURE ACTS WHICH REQUIRE COMPILATION AND CODIFICATION OF THEIR RULES AND REGULATIONS (AS COMPARED TO THE CODE OF FEDERAL REGULATIONS).

THIS DIGEST CONTAINS INFORMATION FROM BOTH LAW AND REGULATION, BUT GENERALLY NO ATTEMPT HAS BEEN MADE TO DIFFERENTIATE BETWEEN THEM. IN SOME CASES, PARTICULARLY RECENTLY ENACTED STATUTES, REGULATIONS HAVE NOT BEEN ISSUED. IT FREQUENTLY REQUIRES A YEAR OR MORE AFTER PASSAGE OF A LAW TO FINALIZE REGULATIONS, AND USUALLY THERE IS SOME PROVISION THAT THE OLD REGULATIONS WILL REMAIN IN EFFECT UNTIL NEW ONES ARE PROMULGATED.

THE SECTION ON PROHIBITED ACTS IS INTENDED TO CONVEY THE PRINCIPAL PURPOSE OF THE LAW AND DOES NOT TOUCH ON EVERYTHING THAT IS PROHIBITED BY STATUTE. ALMOST ALL OF THE LAWS REQUIRE A LICENSE TO DO BUSINESS, AND REQUIRE PERSONS WHO USE RESTRICTED PESTICIDES TO BE CERTIFIED AS COMPETENT TO USE THEM. A GREAT BULK OF THE REGULATIONS, OF COURSE, GO BEYOND THIS AND CONSTITUTE PROHIBITED ACTS.

A STANDARD FORMAT IS USED FOR EACH DIGEST OF THE APPLICABLE LAW IN ORDER TO ACHIEVE UNIFORMITY AND PERMIT COMPARISON. BECAUSE OF THE GREAT DIVERSITY OF CONTENT BETWEEN STATE PESTICIDE CONTROL LAWS, THE FORMAT DOES NOT ALWAYS FIT EVERY INDIVIDUAL STATUTE. AN EXPLANATION OF THE FORMAT IS INCLUDED AT THE END OF THE DIGEST.

THIS PUBLICATION CONTAINS DIGESTS OF 78 STATE PESTICIDE USE AND APPLICATION LAWS OR PORTIONS OF THOSE LAWS WHICH RELATE TO THE USE AND APPLICATION OF PESTICIDES. A FEW STATUTES (NOT INCLUDED) ARE BORDERLINE CASES, WHERE THE PURPOSE OF THE STATUTE IS TO ESTABLISH GEOGRAPHICAL AREAS WITHIN WHICH THE USE OF PESTICIDES MAY BE PROHIBITED OR RESTRICTED; E.G., GRAPE-GROWING AREAS SENSITIVE TO THE USE OF HERBICIDES.

THE MATERIAL IN THIS PUBLICATION WAS SUBMITTED TO THE RESPECTIVE EPA REGIONS FOR REVIEW AND COMMENT.

JUNE 1976
EMERSON B. BAKER, J. D.
CONSULTANT, EPA

ALABAMA

TITLE: CUSTOM APPLICATION OF PESTICIDES
(CODE OF ALA., TIT. 2, § 337(12A) TO 337(12H), SUPP. 1973)

PROHIBITED ACTS: UNLAWFUL TO:

1. " ... ENGAGE IN THE CUSTOM APPLICATION OF PESTICIDES ... WITHOUT FIRST PROCURING AN ANNUAL LICENSE FROM THE COMMISSIONER (OF AGRICULTURE AND INDUSTRIES),

2. " ... DISCARD, DISPOSE OF OR OTHERWISE HANDLE ANY PESTICIDE OR PESTICIDE CONTAINER ... (IN A MANNER HARMFUL TO MAN, ANIMALS, WILDLIFE, ENVIRONMENT, ETC.)... "

EXEMPTIONS:

1. APPLICATION OF PESTICIDES TO LAWNS, TREES OR SHRUBS
2. STRUCTURAL OR HOUSEHOLD PEST CONTROL ACTIVITIES
3. FARMERS ON OWN LAND
4. MUNICIPALITIES, COUNTIES, STATE, FEDERAL, OR LOCAL GOVERNMENTAL BODIES (BUT NOT WORK DONE FOR THEM BY INDEPENDENT CONTRACTORS).

CERTIFICATION OR LICENSING:

CATEGORIES

1. DEMONSTRATION PEST CONTROL
2. AGRICULTURAL PEST CONTROL
3. FOREST PEST CONTROL
4. RIGHT-OF-WAY PEST CONTROL

QUALIFICATIONS NOT SPECIFIED IN ACT.

APPLICATION ON FORMS FURNISHED BY THE COMMISSIONER; GIVING SPECIFIED STATUTORY INFORMATION, INCLUDING QUALIFICATIONS.

EXAMINATION WRITTEN EXAMINATION REQUIRED. APPLICANT MUST POSSESS " ... ADEQUATE "NORLEDGE CONCERNING THE PROPER USE AND APPLICATION OF PESTICIDES AND THE DANGERS INVOLVED ... PRECAUTIONS TO BE T.KEN ... AND THE KNOWLEDGE AND ABILITY OF THE EFFECTIVE USE OF PESTICIDES ... "

FEES

EXAMINATION FEE	$ 10.00
GROUND APPLICATION LICENSE	50.00
AERIAL APPLICATION LICENSE, ONE AIRCRAFT	50.00
MORE THAN ONE (FOR EACH ADDITIONAL AIRCRAFT BUT NOT TO EXCEED $100.00)	10.00
BOTH GROUND AND AERIAL APPLICATION LICENSE, ONE AIRCRAFT	50.00
MORE THAN ONE (FOR EACH ADDITIONAL AIRCRAFT BUT NOT TO EXCEED $100.00)	10.00

ISSUANCE ANNUAL LICENSE ISSUED BY COMMISSIONER IF APPLICANT FOUND QUALIFIED; EXPIRES DECEMBER 31 OF YEAR ISSUED.

RENEWAL RENEWABLE JANUARY 1 BY PAYMENT OF ANNUAL LICENSE FEE. PENALTY OF 10% ADDED TO DELINQUENT RENEWALS (FEBRUARY 15 OR WITHIN 45 DAYS OF DUE DATE).

NONRESIDENTS RECIPROCITY PROVIDED.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES

ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD:

"PESTICIDE ADVISORY COMMITTEE. (1) A PESTICIDE ADVISORY COMMITTEE IS HEREBY CREATED AS FOLLOWS: TWO (2) MEMBERS FROM THE SCHOOL OF AGRICULTURE AND AGRICULTURAL EXPERIMENT STATION OF AUBURN UNIVERSITY TO BE APPOINTED BY ITS DEAN AND DIRECTOR; TWO (2) MEMBERS FROM THE COOPERATIVE AGRICULTURAL EXTENSION SERVICE OF AUBURN UNIVERSITY TO BE APPOINTED BY ITS DIRECTOR, TWO (2) MEMBERS IN THE EMPLOY OF THE STATE DEPARTMENT OF AGRICULTURE AND INDUSTRIES TO BE APPOINTED BY ITS COMMISSIONER; TWO (2) MEMBERS IN THE EMPLOY OF THE STATE DEPARTMENT OF PUBLIC HEALTH TO BE APPOINTED BY THE STATE HEALTH OFFICER; TWO (2) MEMBERS IN THE EMPLOY OF THE STATE DEPARTMENT OF CONSERVATION TO BE APPOINTED BY ITS DIRECTOR; AND TWO (2) MEMBERS FROM THE ALABAMA PESTICIDE INSTITUTE TO BE APPOINTED BY ITS BOARD OF DIRECTORS. THE TERM OF SERVICE OF THE MEMBERS OF SAID COMMITTEE SHALL BE AT THE PLEASURE OF THE APPOINTING AUTHORITY ....

"(2) MEETINGS. THE PESTICIDE ADVISORY COMMITTEE SHALL MEET AT THE CALL OF ITS CHAIRMAN OR UPON A CALL OF A MAJORITY OF ITS MEMBERS. THERE SHALL BE AT LEAST TWO REGULAR MEETINGS OF THE COMMITTEE DURING EACH CALENDAR YEAR TO BE HELD NOT LESS THAN FIVE (5) MONTHS APART, AND CALL MEETINGS MAY BE HELD AS THE DUTIES AND BUSINESS OF THE COMMITTEE MAY REQUIRE...

"(3) OFFICIAL ACTION. OFFICIAL ACTION OF THE PESTICIDE ADVISORY COMMITTEE REQUIRES A MAJORITY VOTE OF THE MEMBERS OF THE COMMITTEE PRESENT AND VOTING. SEVEN (7) MEMBERS OF THE COMMITTEE SHALL CONSTITUTE A QUORUM WHICH IS THE NUMBER NECESSARY TO TRANSACT OFFICIAL BUSINESS OF THE COMMITTEE.

"(4) POWERS AND DUTIES. THE PESTICIDE ADVISORY COMMITTEE, WITH RESPECT TO ITS FIELD OF WORK, SHALL HAVE THE POWERS AND DUTIES TO CONSIDER AND STUDY THE ENTIRE FIELD OF PESTICIDES; TO REVIEW AND MAKE RECOMMENDATIONS TO THE COMMISSIONER ON ANY PESTICIDE REGISTRATION SUBMITTED TO IT BY THE COMMISSIONER; TO ADVISE, COUNSEL AND CONSULT WITH THE COMMISSIONER UPON HIS REQUEST IN CONNECTION WITH THE PROMULGATION, ADMINISTRATION AND ENFORCEMENT OF ALL LAWS, RULES, AND REGULATIONS RELATING TO PESTICIDES; TO CONSIDER ALL MATTERS SUBMITTED TO IT BY THE COMMISSIONER, OTHER MEMBERS OF THE COMMITTEE OR ANY PERSON AFFECTED BY THE PROVISIONS AND TO OFFER SUGGESTIONS AND MAKE RECOMMENDATIONS TO THE COMMISSIONER ON ITS OWN INITIATIVE IN REGARD TO CHANGES IN THE LAWS, RULES AND REGULATIONS RELATING TO PESTICIDES, AS MAY BE DEEMED ADVISABLE FOR THE EFFECTIVE ADMINISTRATION AND ENFORCEMENT OF SAID LAWS AND RULES AND REGULATIONS; TO SUGGEST OR RECOMMEND, ON ITS OWN INITIATIVE, POLICIES OR PRACTICES FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT, WHICH SUGGESTIONS AND RECOMMENDATIONS THE COMMISSIONER SHALL DULY CONSIDER. TO REVIEW REGISTERED PESTICIDES AS TO THEIR SAFETY AND/OR EFFICACY AND MAKE RECOMMENDATIONS TO THE COMMISSIONER AS TO ITS FINDINGS AND TO MAKE RECOMMENDATIONS AS TO WHICH PESTICIDES SHOULD BE PROHIBITED OR RESTRICTED IN USE. THE COMMISSIONER SHALL DULY CONSIDER THESE RECOMMENDATIONS AS TO THE REGISTRATION CANCELLATION AND AS TO RESTRICTED USE PESTICIDES. THE DECISION SO ARRIVED AT SHALL NOT BE FINAL UNTIL APPROVED BY THE STATE BOARD OF AGRICULTURE AND INDUSTRIES."

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADULTERATED
3. AIRCRAFT
4. ANTIDOTE
5. BACTERICIDE
6. BOARD
7. COMMISSIONER
8. CONTAMINATION
9. CUSTOM APPLICATION OF PESTICIDES
10. DEFOLIANT
11. DESICCANT
12. DEVICE
13. FUNGI
14. FUNGICIDE
15. GROUND EQUIPMENT
16. HERBICIDE
17. INERT INGREDIENT
18. INGREDIENT STATEMENT
19. INSECT
20. INSECTICIDE
21. LABEL
22. LABELING
23. LICENSED PESTICIDE DEALER
24. LOW VOLUME
25. MISBRANDED
26. NEMATOCIDE
27. NEMATODE
28. OFFICIAL SAMPLE
29. PERSON
30. PESTICIDE
31. PESTICIDE USE PERMIT
32. PLANT REGULATOR
33. REGISTRANT
34. RESTRICTED USE PESTICIDE
35. RODENTICIDE
36. ULTRA LOW VOLUME
37. WEED

FINANCIAL RESPONSIBILITY:

1. GROUND APPLICATORS OR AERIAL APPLICATORS WITH NOT MORE THAN TWO AIRCRAFT	$ 3,000.00
2. AERIAL APPLICATORS WITH OVER TWO AIRCRAFT (FOR EACH ADDITIONAL AIRCRAFT BUT NOT TO EXCEED $12,000.)	3,000.00

SURETY BOND OR A LIABILITY INSURANCE POLICY REQUIRED. MAY CONTAIN A REASONABLE DEDUCTIBLE CLAUSE, IN AN AMOUNT ACCEPTABLE TO THE COMMISSIONER. ELIGIBLE SURPLUS LINE INSURERS MAY BE USED.

PENALTIES:

CIVIL — NONE.

CRIMINAL — VIOLATION OF THE ACT, OR RULES AND REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $25 NOR MORE THAN $500 AND, AT THE DISCRETION OF THE COURT, IMPRISONMENT NOT TO EXCEED SIX MONTHS.

RELEVANT LAWS:

"ALABAMA PESTICIDE ACT OF 1971" (REGISTRATION LAW)
(CODE OF ALA., TIT. 2, § 337(9A) TO 337(9M), SUPP. 1973)

("AN ACT TO REGULATE THE SALE, OFFERING FOR SALE, DISTRIBUTION AND TRANSPORTATION OF PESTICIDES ... TO PROVIDE THAT THE SALE, OFFERING FOR SALE, DISTRIBUTION AND TRANSPORTATION OF CERTAIN HIGHLY TOXIC PESTICIDES MAY BE RESTRICTED, LIMITED IN USE OR PROHIBITED; TO REQUIRE THE ANNUAL REGISTRATION OF PESTICIDES ... BEFORE SUCH PRODUCTS ARE SOLD, OFFERED FOR SALE OR DELIVERED OR TRANSPORTED WITHIN THIS STATE; TO REQUIRE USE PERMITS FOR THE PURCHASE AND USE OF RESTRICTED USE PESTICIDES; TO REQUIRE A SPECIAL LICENSE FOR THE SALE OR OFFERING FOR SALE OF ANY RESTRICTED USE PESTICIDES; TO CREATE AND ESTABLISH A PESTICIDE ADVISORY COMMITTEE TO PERFORM CERTAIN DUTIES ... AND TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT BY THE COMMISSIONER OF AGRICULTURE AND INDUSTRIES WITH EXEMPTION PROVISIONS; AUTHORIZING THE ADOPTION OF RULES AND REGULATIONS ... TO PROVIDE ENFORCEMENT AND PENALTY PROVISIONS FOR VIOLATIONS OF THIS ACT, AND TO REPEAL CONFLICTING LAWS.")

REQUIREMENTS FOR PERSONS PERFORMING PROFESSIONAL WORK OR SERVICES PERTAINING TO ENTOMOLOGY, PATHOLOGY, HORTICULTURE, FLORICULTURE, AND TREE SURGERY
(CODE OF ALA., TIT. 2, § 671 TO 677, SUPP. 1973)

PROVIDES FOR THE EXAMINATION AND LICENSING OF PERSONS IN CERTAIN PROFESSIONS, INCLUDING STRUCTURAL PEST CONTROL OPERATORS PRACTICING SUBTERRANEAN TERMITE ERADICATION OR CONTROL. SPECIFICALLY EXEMPTS " ... GRAFTING, SPRAYING, DUSTING COTTON, OR OTHER SIMILAR WORK ... "

DETECTION OF PESTICIDE RESIDUES
(CODE OF ALA., TIT. 2, § 337(10) TO 337(12), 1960)

PROVIDES FOR THE ESTABLISHMENT AND OPERATION OF A LABORATORY TO DETECT AND ANALYZE PESTICIDE RESIDUES ON RAW AND PROCESSED AGRICULTURAL PRODUCTS, AND FOR OTHER PURPOSES.

FOOD AND DRUG LAW
(CODE OF ALA., TIT. 2, § 303 ET SEQ., 1960)

ALABAMA

TITLE: PROFESSIONAL WORK OR SERVICES PERTAINING TO ENTOMOLOGY, PATHOLOGY, HORTICULTURE, FLORICULTURE AND TREE SURGERY (CODE OF ALA., TIT. 2, § 671 TO 677, SUPP. 1973)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN PROFESSIONAL WORK OR SERVICES, OR TO SOLICIT WORK, UNLESS "PERMITTED" BY THE COMMISSIONER OF AGRICULTURE AND INDUSTRIES.

EXEMPTIONS: OWNERS, OR THEIR EMPLOYEES, OR OTHERS IN POSSESSION, PERFORMING WORK ON THEIR PROPERTY.

CERTIFICATION OR LICENSING:

CATEGORIES

1. ENTOMOLOGICAL WORK
2. HORTICULTURAL AND FLORICULTURAL WORK
3. PATHOLOGICAL WORK
4. STRUCTURAL PEST CONTROL WORK
   - (A) CERTIFIED OPERATOR (MAIN OFFICE OR BRANCH OFFICE)
   - (B) BRANCH SUPERVISOR (BRANCH OFFICE ONLY)
   - (C) SUB-OFFICE (LESS THAN THREE EMPLOYEES, NEED NOT BE CERTIFIED)
5. TREE SURGERY WORK

QUALIFICATIONS: STRUCTURAL PEST CONTROL -- ONE YEAR OF WORKING EXPERIENCE OR A COLLEGE DEGREE INCLUDING STUDIES IN ENTOMOLOGY, OR EQUIVALENT INSTRUCTION IN STRUCTURAL PEST CONTROL. FOR OTHER PROFESSIONAL SERVICES, MUST HAVE KNOWLEDGE OF PRACTICAL AND SCIENTIFIC FACTS REGARDING PROFESSION.

APPLICATION: ON FORMS FURNISHED BY COMMISSIONER; ACCOMPANIED BY REQUIRED PERMIT FEE.

EXAMINATION: REQUIRED TO PASS SUCH TESTS OR EXAMINATIONS AS THE EXAMINING BOARD MAY REQUIRE.

FEES

EXAMINATION FEE (FOR ANY OR ALL EXAMINATIONS GIVEN AT ONE TIME)	$ 10.00
PERMIT FEE - GENERAL	25.00
PERMIT FEE - STRUCTURAL PEST CONTROL:	
A. MAIN OFFICE	50.00
B. BRANCH OFFICE	25.00
C. SUB-OFFICE	10.00
PERMITS ISSUED AFTER APRIL 1	+50%
DELINQUENT PENALTIES ADDED	+10%

ISSUANCE

RENEWAL

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO

REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	NO	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "THE BOARD SHALL BE REFERRED TO AS THE EXAMINING BOARD ... (AND) CONSIST OF THE COMMISSIONER OF AGRICULTURE AND INDUSTRIES (CHAIRMAN), THE ENTOMOLOGIST, THE HORTICULTURIST, AND THE PLANT PATHOLOGIST OF THE ALABAMA EXPERIMENT STATION."

DEFINITIONS:

1. BRANCH OFFICE
2. BRANCH SUPERVISOR
3. CERTIFIED OPERATOR
4. ENTOMOLOGICAL WORK
5. HORTICULTURAL AND FLORICULTURAL WORK
6. PATHOLOGICAL WORK
7. STRUCTURAL PEST CONTROL WORK
8. SUB-OFFICE
9. TREE SURGERY WORK

FINANCIAL RESPONSIBILITY: SUBTERRANEAN TERMITE ERADICATION AND CONTROL:

PERFORMANCE BOND (HONESTY AND SKILLFUL WORKMANSHIP)	$ 2,500.00
INSURANCE POLICY (PROTECTING STRUCTURES BEING TREATED)	5,000.00

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATIONS IS A MISDEMEANOR, SUBJECT TO A FINE OF NOT LESS THAN $25 OR MORE THAN $500 AND, DISCRETIONARY WITH COURT, ALSO IMPRISONMENT, NOT TO EXCEED SIX MONTHS INJUNCTIVE RELIEF PROVISIONS ESTABLISHED IN THE ACT.

RELEVANT LAWS:

CUSTOM APPLICATION OF PESTICIDES
(CODE OF ALA., TIT. 2, § 337(12A) TO 337(12H), SUPP. 1973)

"ALABAMA PESTICIDE ACT OF 1971" (REGISTRATION LAW)
(CODE OF ALA., TIT. 2, § 337(9A) TO 337(9R) SUPP. 1973)

DETECTION OF PESTICIDE RESIDUES
(CODE OF ALA., TIT. 2, § 337(10) TO 337(12) SUPP. 1973)

ALASKA

TITLE: ENVIRONMENTAL CONSERVATION (PESTICIDE CONTROL) (ALASKA STAT., § 46.03.320 TO 46.03.730, 1971) (NOTE: THIS ACT IS A COMPREHENSIVE LAW RELATING TO ALL PHASES OF ENVIRONMENTAL PROTECTION INCLUDING REGULATION OF PESTICIDES.

PROHIBITED ACTS: "NO PERSON MAY SPRAY OR APPLY, OR CAUSE TO BE SPRAYED OR APPLIED DICHLORO-DIPHENYL-TRICHLORO-ETHANE (DDT), DIELDRIN OR OTHER PESTICIDE OR BROADCAST CHEMICAL IN A MANNER WHICH MAY CAUSE DAMAGE TO OR ENDANGER THE HEALTH, WELFARE OR PROPERTY OF ANOTHER PERSON, OR IN SUCH A MANNER AS TO BE LIKELY TO POLLUTE THE AIR, SOIL OR WATER OF THE STATE WITHOUT PRIOR AUTHORIZATION OF THE DEPARTMENT."

EXEMPTIONS: NONE.

CERTIFICATION OR LICENSING:

CATEGORIES: NONE.

QUALIFICATIONS / APPLICATION / EXAMINATION: "THE DEPARTMENT MAY PROVIDE BY REGULATION FOR THE LICENSING OF PERSONS ENGAGED IN THE CUSTOM, COMMERCIAL OR CONTRACT SPRAYING OR APPLICATION OF PESTICIDES AND BROADCAST CHEMICALS INCLUDING THE REQUIREMENT OF A SURETY BOND AND LIABILITY INSURANCE FOR THE LICENSEE."

FEES

ISSUANCE

RENEWAL

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YE^	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS		INVESTIGAT DAMAGES	
REQUIRE USE PERMITS	YES	LICENSE DEALE/'S	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES

CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISED	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

(ENVIRONMENTAL ADVISORY BOARD)

"(A) THERE IS CREATED WITHIN THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AN ENVIRONMENTAL ADVISORY BOARD, CONSISTING OF THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION WHO SHALL SERVE AS A CHAIRMAN AND EIGHT MEMBERS APPOINTED BY THE GOVERNOR.

"(B) NO MEMBER OF THE BOARD OTHER THAN THE CHAIRMAN MAY BE AN OFFICER OR EMPLOYEE OF A STATE DEPARTMENT OR AGENCY.

"(C) OF THE MEMBERS OF THE BOARD FIRST APPOINTED BY THE GOVERNOR, THREE SHALL BE APPOINTED FOR A TERM OF ONE YEAR; THREE FOR A TERM OF TWO YEARS; AND TWO FOR A TERM OF THREE YEARS. THE INITIAL TERMS BEGIN ON JULY 1, 1971. THEREAFTER, ALL APPOINTMENTS SHALL BE MADE FOR TERMS OF THREE YEARS BEGINNING ON JULY 1 OF THE YEAR IN WHICH THE APPOINTMENT IS MADE. MEMBERS OF THE BOARD SHALL SERVE AT THE PLEASURE OF THE GOVERNOR. IN THE CASE OF A VACANCY OTHER THAN ONE ARISING BY EXPIRATION OF TERM AN APPOINTMENT TO FILL THE VACANCY SHALL BE MADE FOR THE REMAINDER OF THE UNEXPIRED TERM.

"EXPENSES AND PER DIEM OF BOARD MEMBERS. EACH MEMBER OF THE BOARD IS ENTITLED TO ... EXPENSES.

"FUNCTIONS OF BOARD. (A) THE BOARD SHALL

"(1) ADVISE THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION IN THE REVIEW AND APPRAISAL OF PROGRAMS AND ACTIVITIES OF STATE DEPARTMENTS AND AGENCIES IN LIGHT OF THE POLICY SET OUT IN AS 46.03.010;

"(2) SERVE AS A FORUM FOR THE EXCHANGE OF VIEWS, CONCERNS, IDEAS, INFORMATION AND RECOMMENDATIONS RELATING TO THE QUALITY OF THE ENVIRONMENT; AND

"(3) RECOMMEND TO THE COMMISSIONER THE PERSONS WHO BY VIRTUE OF OUTSTANDING ACHIEVEMENT IN THE FIELD OF ENVIRONMENTAL CONSERVATION MERIT A CERTIFICATE OF ACHIEVEMENT FROM THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION.

"(B) THE BOARD SHALL EXERCISE AND PERFORM SUCH OTHER FUNCTIONS AS MAY BE REQUESTED BY THE COMMISSIONER."

DEFINITIONS: 1. COMMISSIONER
2. DEPARTMENT
3. BROADCAST CHEMICALS
4. PESTICIDES

(TWENTY-TWO TERMS ARE DEFINED, BUT THE ABOVE FOUR RELATE SPECIFICALLY TO PESTICIDES.)

FINANCIAL RESPONSIBILITY: MAY BE PRESCRIBED BY REGULATIONS.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT IS A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $1,000 AND COST OF PROSECUTION, OR IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR COMBINATION OF FINE, COSTS AND IMPRISONMENT.

RELEVANT LAWS: "ALASKA FOOD, DRUG, AND COSMETIC ACT"
(ALASKA STAT., TIT. 17.20.010 TO 17.20.380, 1962)

SECTION 17.20.30 CONCERNS "TOLERANCES FOR ADDED POISONOUS INGREDIENTS" IN OR ON FOOD.

ARIZONA

TITLE: "ARIZONA PESTICIDE USE AND APPLICATION ACT"
(A.R.S., TIT. 3-371 TO 3-390, SUPP. 1974-1975)
(TITLE OF ACT OMITTED BY CODIFIERS AS UNNECESSARY)

PROHIBITED ACTS: UNLAWFUL ...

1. TO ENGAGE IN THE CUSTOM APPLICATION OF PESTICIDES WITHOUT A LICENSE FROM THE BOARD OF PESTICIDE CONTROL;
2. FOR GROWERS TO PURCHASE, DISPENSE, OR USE PESTICIDES WITHOUT A PERMIT FROM THE BOARD; AND
3. FOR SELLERS TO SELL, DISPENSE, OR DELIVER PESTICIDES WITHOUT A PERMIT.

EXEMPTIONS: STRUCTURAL PEST CONTROL OPERATORS; AIRPLANE PILOTS ON A TEMPORARY BASIS DURING EMERGENCIES; PERSONS CHANGING ATMOSPHERIC CONDITIONS; APPLICATION OF FERTILIZERS OR SEEDS; GOVERNMENTAL BODIES; WEED CONTROL ON RAILWAYS, HIGHWAYS, CANALS, OR UTILITY EASEMENTS; TREATMENT OF FABRICS; AND SANITATION SERVICES.

CERTIFICATION OR LICENSING:

CATEGORIES (PEST CONTROL ADVISOR EXAMINATION CATEGORIES)

1. DEFOLIATION
2. INSECTS, MITES AND OTHER INVERTEBRATES
3. NEMATODES
4. PLANT GROWTH REGULATORS
5. PLANT PATHOGENS
6. VERTEBRATE PESTS
7. WEEDS

QUALIFICATIONS MUST SATISFY BOARD AS TO CHARACTER, QUALIFICATIONS, RESPONSIBILITY, AND GOOD FAITH.

APPLICATION ON FORM PROVIDED BY BOARD (DETAILS ESTABLISHED BY REGULATION).

EXAMINATION APPLICANT TO APPEAR BEFORE BOARD AND BE EXAMINED.

FEES

APPLICATION FOR GROWERS PERMIT (NOT TO EXCEED)	$ 25.00
APPLICATION FOR SELLERS PERMIT (NOT TO EXCEED)	100.00
APPLICATION FOR CUSTOM APPLICATORS LICENSE (NOT TO EXCEED)	100.00
APPLICATION FOR CUSTOM APPLICATORS LICENSE RENEWAL	100.00
PENALTY - FEES NOT PAID WHEN DUE	5.00
APPLICATION FOR AGRICULTURAL PEST CONTROL ADVISORS LICENSE (NOT TO EXCEED)	50.00
APPLICATION FOR AGRICULTURAL PEST CONTROL ADVISORS RENEWAL	25.00
LATE RENEWAL AGRICULTURAL PEST CONTROL ADVISORS	10.00
GOVERNMENT EMPLOYEES MUST BE LICENSED, BUT NO FEE	EXEMPT
APPLICATION FOR CERTIFICATION (NOT TO EXCEED)	50.00
APPLICATION FOR CERTIFICATION RENEWAL	50.00

ISSUANCE CALENDAR YEAR LICENSE ISSUED BY THE BOARD, RENEWABLE ANNUALLY UPON PAYMENT OF FEE, MAY BE REVOKED FOR CAUSE AFTER A HEARING.

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTR COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	YES

PESTICIDE BOARD: COMPOSED OF THE CHAIRMAN OF THE COMMISSION OF AGRICULTURE AND HORTICULTURE (AS CHAIRMAN OF THE BOARD) AND 12 MEMBERS APPOINTED BY THE GOVERNOR, AND ADDITIONALLY AN ADVISORY COMMITTEE OF 13 MEMBERS FROM PRIVATE INDUSTRY APPOINTED BY THE GOVERNOR TO ADVISE AND ASSIST THE BOARD OF PESTICIDE CONTROL.

DEFINITIONS:	1. ACT	17. PERSON
	2. ADMINISTRATOR	18. PEST CONTROL
	3. AGRICULTURAL PEST CONTROL ADVISOR	19. PESTICIDE
		20. PRIVATE APPLICATOR
	4. AIRCRAFT	21. RANGE
	5. APPLICATOR	22. RANGE LIVESTOCK
	6. BOARD	23. REGULATE USE
	7. COMMERCIAL APPLICATOR	24. RESTRICTED AREA
	8. CUSTOM APPLICATOR	25. RESTRICTED USE PESTICIDE
	9. DEFOLIATION	26. RODENT
	10. GROUND EQUIPMENT	27. SELLER OF PESTICIDES
	11. GROWER	28. STRUCTURAL COMMERCIAL APPLICATOR
	12. INSECT	29. UNDER THE DIRECT SUPERVISION OF
	13. LICENSE	30. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
	14. LIVESTOCK	
	15. OPERATOR	31. WEED
	16. PERMIT	

FINANCIAL RESPONSIBILITY: NOT LESS THAN $25,000 FOR PROPERTY DAMAGE, PUBLIC LIABILITY, AND DRIFT INSURANCE, EACH SEPARATELY.

PENALTIES:

CIVIL

COMMERCIAL APPLICATORS:
SUBJECT TO A CIVIL ASSESSMENT FOR EACH VIOLATION OF NOT TO EXCEED $ 1,000.00
PRIVATE APPLICATORS: NONE

CRIMINAL

VIOLATION OF ACT OR REGULATION CONSTITUTES A MISDEMEANOR AND SUBJECTS COMMERCIAL APPLICATORS TO A FINE, NOT TO EXCEED $300, OR SIX MONTHS IN JAIL OR BOTH. PRIVATE APPLICATORS ARE SUBJECT TO A FINE NOT TO EXCEED $300, OR 30 DAYS IN JAIL, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"ARIZONA PESTICIDES ACT" (REGISTRATION LAW)
(A.R.S., TIT. 3-341 TO 3-357, SUPP. 1974-1975)
(TITLE OF LAW OMITTED BY CODIFIERS AS UNNECESSARY)

STRUCTURAL PEST CONTROL
(A.R.S., TIT. 32-2301 TO 32-2325, SUPP. 1974-1975)

ADMINISTERED BY A STRUCTURAL PEST CONTROL BOARD.

ARIZONA

TITLE: STRUCTURAL PEST CONTROL LAW*
(A.R.S., TIT. 32-2301 TO 32-2325, SUPP. 1974-1975)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF STRUCTURAL PEST CONTROL UNLESS LICENSED BY THE STRUCTURAL PEST CONTROL BOARD; OR TO USE A RESTRICTED USE PESTICIDE UNLESS DETERMINED TO BE COMPETENT.

EXEMPTIONS: PERSONS ENGAGED IN AGRICULTURAL PEST CONTROL LICENSED UNDER A.R.S. 3-271, ET SEQ.; PERSONS CONTROLLING PESTS ON THEIR OWN PROPERTY (OWNED, RENTED OR LEASED); GOVERNMENTAL AGENCIES AND THEIR EMPLOYEES WITHIN THE SCOPE OF THEIR EMPLOYMENT AND EDUCATIONAL INSTITUTIONS OR STATE AGENCIES ENGAGED IN RESEARCH OR STUDIES OF PEST CONTROL. NO EXEMPTIONS FOR PERSONS USING RESTRICTED PESTICIDES.

CERTIFICATION OR LICENSING:

CATEGORIES

(LAW)	(REGULATION)
1. GENERAL PEST CONTROL	CLASS A - ALL CLASSES, NO LIMITATIONS
2. WOOD DESTROYING PESTS	CLASS B - GENERAL PESTS
3. WEED CONTROL	CLASS C - WOOD DESTROYING PESTS
4. FUMIGATION	CLASS D - FUMIGANTS
5. OTHERS MAY BE ESTABLISHED BY BOARD	CLASS E - WEED CONTROL

QUALIFICATIONS: SATISFACTORY CHARACTER, RESPONSIBILITY, AND GOOD FAITH.

APPLICATION: ON FORM PRESCRIBED AND FURNISHED BY THE BOARD.

EXAMINATION: ORAL OR WRITTEN, OR BOTH ORAL AND WRITTEN. SCORE OF 70% REQUIRED FOR PASSING EXAMINATION.

FEES:

TO BE ESTABLISHED BY THE BOARD, BUT NOT TO EXCEED	$ 100.00
(REGULATIONS)	
EXAMINATION FOR LICENSE	50.00
LICENSE	100.00
ANNUAL RENEWAL	100.00
ANNUAL RENEWAL (INACTIVE)	25.00

DELINQUENT FEES 100% OF ABOVE.

ISSUANCE: CALENDAR YEAR.

RENEWAL: RENEWAL FEES DUE DECEMBER 1; DELINQUENT AFTER DECEMBER 31. LICENSES NOT RENEWED BY FEBRUARY 1, CONSIDERED LAPSED.

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO

*THIS ACT WAS AMENDED IN 1974 BY ADDING ARTICLE FOUR, WHICH PROVIDED ADDITIONAL REGULATION OF APPLICATORS USING RESTRICTED PESTICIDES, IN CONFORMITY WITH FIFRA, AS AMENDED.

REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD:

"STRUCTURAL PEST CONTROL BOARD ... CREATED ... 5 MEMBERS APPOINTED BY THE GOVERNOR, WITH THE CONSENT OF THE SENATE ... TWO WHO SHALL REPRESENT PUBLIC INTEREST ... VERSED IN ... PUBLIC HEALTH PESTICIDES, ENTOMOLOGY, OR STRUCTURAL PEST CONTROL PRACTICES ... THREE MEMBERS (WITH) NOT LESS THAN FIVE (PRECEDING) YEARS ... PRACTICE OF STRUCTURAL PEST CONTROL (IN) ... ARIZONA. EACH MEMBER SHALL SERVE FOR A TERM OF FIVE YEARS ... (FOR NOT MORE THAN TWO CONSECUTIVE TERMS) ... VACANCIES ... SHALL BE FILLED ... BY THE GOVERNOR."

"THE BOARD SHALL ELECT ... A CHAIRMAN, VICE-CHAIRMAN AND SECRETARY ... MEET NOT LESS THAN TWICE A YEAR (OR) ... CALLED ... BY THE CHAIRMAN, OR ANY THREE MEMBERS OF THE BOARD ..."

DEFINITIONS:

(LAW)

1. ACT
2. ADMINISTRATOR
3. BOARD
4. HOUSEHOLD PESTS
5. RESTRICTED USE PESTICIDE
6. STRUCTURAL COMMERCIAL APPLICATOR
7. UNDER THE DIRECT SUPERVISION OF
8. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT

(REGULATION)

1. BOARD
2. BUSINESS ENTITY
3. CONTRACT
4. CONTROL
5. DEVICE
6. FOG OR FOGGING
7. FUMIGANT
8. FUMIGATION
9. GENERAL PESTS
10. LAW
11. LICENSE
12. LICENSEE

13: PESTICIDE
14: WEED
15: WOOD DESTROYING PESTS

FINANCIAL RESPONSIBILITY: A DEPOSIT OF MONEY, CERTIFIED CHECK, LIABILITY INSURANCE, OR SURETY BOND, NOT LESS THAN $25,000 FOR PROPERTY DAMAGE, AND LIKE AMOUNT FOR PUBLIC LIABILITY.

PENALTIES:

CIVIL: THE BOARD MAY ASSESS A CIVIL PENALTY OF NOT TO EXCEED $1,000 FOR EACH VIOLATION.

CRIMINAL: VIOLATION OF ACT CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $300 OR IMPRISONMENT IN COUNTY JAIL NOT TO EXCEED SIXTY DAYS, OR BOTH FINE AND IMPRISONMENT. VIOLATION OF REGULATIONS SUBJECT TO WITHDRAWAL OF LICENSE. BOARD MAY SEEK INJUNCTIVE RELIEF RESTRAINING CERTAIN PRACTICES. STRUCTURAL COMMERCIAL APPLICATORS (THOSE USING RESTRICTED PESTICIDES) SUBJECT TO $300 FINE OR SIX MONTHS IN JAIL, OR BOTH.

RELEVANT LAWS: "ARIZONA PESTICIDE USE AND APPLICATION ACT"
(A.R.S., TIT. 3-371 TO 3-390, SUPP. 1974-1975)

"ARIZONA PESTICIDES ACT" (REGISTRATION LAW)
(A.R.S., TIT. 3-341 TO 3-357, SUPP. 1974-1975)

ARKANSAS

TITLE: "ARKANSAS PESTICIDE USE AND APPLICATION ACT"
(SESSION LAWS, 1975, PAGE 389; ACT 389, 1975; SENATE BILL 407)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING ANY KIND OF PESTICIDES OR MAKING AERIAL APPLICATION OF SEED OR FERTILIZER UNLESS LICENSED BY THE STATE PLANT BOARD. UNLAWFUL TO USE RESTRICTED USE PESTICIDES UNLESS LICENSED AS A NON-COMMERCIAL APPLICATOR OR A PRIVATE APPLICATOR. DEALERS LICENSE REQUIRED TO SELL RESTRICTED USE PESTICIDES.

EXEMPTIONS: LABORATORY RESEARCH; MD'S AND DVM'S IN THEIR PRACTICE.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AGRICULTURAL
2. AQUATIC
3. FOREST
4. PILOT
5. REGULATORY
6. RIGHT-OF-WAY
7. OTHER CATEGORIES AUTHORIZED

QUALIFICATIONS: "THE BOARD ... SHALL PRESCRIBE STANDARDS FOR THE LICENSING OF APPLICATORS OF PESTICIDES ... IN CONFORMANCE WITH AND AT LEAST EQUAL TO THOSE PRESCRIBED BY EPA ... "

APPLICATION: ON FORMS PROVIDED BY THE BOARD.

EXAMINATION: SCOPE OF EXAMINATION PRESCRIBED BY REGULATION. MUST DEMONSTRATE KNOWLEDGE.

FEES:

COMMERCIAL APPLICATOR	TO BE ESTABLISHED BY REGULATION
NON-COMMERCIAL APPLICATOR	
PRIVATE APPLICATOR	
DEALER	
PILOT	

ISSUANCE: UPON BEING FOUND QUALIFIED. EXPIRE DECEMBER 31. MAY BE REVOKED FOR CAUSE.

RENEWAL: RE-EXAMINATION MAY BE REQUIRED FOR NEW KNOWLEDGE, TO INSURE CONTINUING COMPETENCE AND ABILITY.

NONRESIDENTS: PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES

PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTAB. OR CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	YES

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. ANIMAL
2. BENEFICIAL INSECTS
3. CERTIFIED APPLICATOR
4. COMMERCIAL APPLICATOR
5. DEFOLIANT
6. DESICCANT
7. DISTRIBUTE
8. ENVIRONMENT
9. EPA
10. EQUIPMENT
11. FIFRA
12. FUNGUS
13. INSECT
14. LAND
15. LICENSE OR PERMIT
16. NEMATODE
17. NON-COMMERCIAL APPLICATOR
18. PERSON
19. PEST
20. PESTICIDE
21. PESTICIDE DEALER
22. PLANT REGULATOR
23. PRIVATE APPLICATOR
24. RESTRICTED USE PESTICIDE
25. STATE RESTRICTED USE PESTICIDE
26. SUPERVISE
27. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
28. WEED
29. WILDLIFE

FINANCIAL RESPONSIBILITY: TO BE ESTABLISHED BY REGULATION.

PENALTIES:

CIVIL: NONE.

CRIMINAL: COMMERCIAL, NON-COMMERCIAL, DEALER, AND PILOT LICENSES: VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $500 NOR MORE THAN $2,000.

PRIVATE APPLICATORS:

VIOLATION OF ACT OR REGULATIONS AFTER RECEIVING A WRITTEN WARNING CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100 NOR MORE THAN $500. VIOLATION OF ACT COMMITTED MORE THAN THREE YEARS AFTER A WRITTEN WARNING OR CONVICTION CONSTITUTES A FIRST OFFENSE.

RELEVANT LAWS:

"ARKANSAS PESTICIDE CONTROL ACT" (REGISTRATION LAW)
(SESSION LAWS, 1975, PAGE 417; ACT 410, 1975, SENATE BILL 423)

AUTHORIZES THE ISSUANCE OF EXPERIMENTAL USE PERMITS, AND THE REGISTRATION OF SPECIAL LOCAL NEED PESTICIDES.

"ARKANSAS PEST CONTROL LAW" (STRUCTURAL)
(SESSION LAWS, 1975, PAGE 571; ACT 488, 1975, SENATE BILL 413)

ARKANSAS

TITLE: "ARKANSAS PEST CONTROL LAW"
(SESSION LAWS 1975, PAGE 571; ACT 488; SENATE BILL 413)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN PEST CONTROL SERVICE WORK, FOR COMPENSATION, UNLESS LICENSED BY THE ARKANSAS STATE PLANT BOARD. UNLAWFUL FOR ANY PERSON TO USE A RESTRICTED USE PESTICIDE UNLESS LICENSED, OR UNDER DIRECT SUPERVISION.

EXEMPTIONS: A PERSON, OR HIS EMPLOYEE, DOING PEST CONTROL ON HIS OWN PROPERTY AND NOT REPRESENTING THEMSELVES AS ENGAGED IN THE PEST CONTROL BUSINESS DO NOT REQUIRE AN "OCCUPATIONAL" LICENSE BUT THEY MUST BE LICENSED TO USE A RESTRICTED USE PESTICIDE.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AGRICULTURAL
2. INDUSTRIAL
3. INSTITUTIONAL
4. NON-COMMERCIAL APPLICATORS
5. STRUCTURAL AND HEALTH RELATED
6. ORNAMENTAL AND TURF

QUALIFICATIONS: MORALLY AND FINANCIALLY RESPONSIBLE. FOR CLASS 2 (HOUSEHOLD PESTS AND RODENT CONTROL) AND CLASS 6 (TERMITE AND OTHER STRUCTURAL PEST CONTROL) APPLICANTS MUST HAVE ONE YEAR EXPERIENCE, OR TWO YEARS OF COLLEGE, INCLUDING COMPLETION OF A BASIC COURSE IN ENTOMOLOGY. THE PLANT BOARD SHALL PRESCRIBE STANDARDS FOR THE CERTIFICATION OF APPLICATORS.

APPLICATION: ON FORMS PROVIDED BY THE BOARD.

EXAMINATION: WRITTEN. TO BE GIVEN AT LEAST ONCE EACH QUARTER. APPLICANTS FAILING TO PASS MUST WAIT AT LEAST SIX MONTHS BEFORE TAKING RE-EXAMINATION.

FEES

FIRST EXAMINATION IN ANY CLASSIFICATION	$ 30.00
EXAMINATIONS AFTER THE FIRST, EACH CLASSIFICATION	20.00
ISSUANCE OF A LICENSE	10.00
REGISTRATION OF SOLICITORS, EACH	5.00
REGISTRATION OF AGENTS, EACH	5.00

ISSUANCE: LICENSES EXPIRE JUNE 30.

RENEWAL: FAILURE TO RENEW FOR A PERIOD OF TWO YEARS REQUIRES A NEW APPLICATION, EXAMINATION, AND FEES (COMPLETE NEW LICENSING PROCESS).

NONRESIDENTS: NO PROVISION FOR RECIPROCITY. MUST DESIGNATE A RESIDENT AGENT TO ACCEPT SERVICE OF LEGAL PROCESS.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO

REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: THIS ACT IS ADMINISTERED BY THE ARKANSAS STATE PLANT BOARD.

DEFINITIONS:

1. AGENT
2. APPLICANT
3. BOARD
4. COMMERCIAL APPLICATOR
5. DIRECTOR (ARKANSAS STATE PLANT BOARD)
6. DIVISION HEAD
7. FIFRA
8. FUNGI OR ROT
9. HOUSEHOLD PESTS AND RODENT CONTROL
10. INSPECTOR
11. LETTER OF CLEARANCE
12. LICENSE HOLDER
13. LICENSED OPERATOR
14. NON COMMERCIAL APPLICATOR
15. PERSON
16. PEST CONTROL SERVICE
17. QUALIFIED OPERATOR
18. SOIL PRE-TREATMENT
19. SOLICITOR
20. SUPERVISE (UNDER THE DIRECT SUPERVISION)
21. TERMITE AND OTHER STRUCTURAL PESTS
22. TERMITE INFESTATION
23. WEED CONTROL

FINANCIAL RESPONSIBILITY: REQUIRED OF CLASS 2 AND CLASS 6 LICENSEES:

PERFORMANCE BOND IN THE AMOUNT OF	$ 1,500.00
LIABILITY INSURANCE:	
PERSONAL INJURY (ONE PERSON)	25,000.00
ANY ONE ACCIDENT	50,000.00
PROPERTY DAMAGE	[illegible],000.00

PENALTIES:

CIVIL — NONE.

CRIMINAL — VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR, SUBJECT TO A FINE OF NOT LESS THAN $50 FOR THE FIRST OFFENSE, NOT LESS THAN $100 FOR THE SECOND OFFENSE, AND NOT LESS THAN $200 PLUS TEN DAYS IN JAIL FOR EACH OFFENSE THEREAFTER, WITH NO SUSPENSION OF FINES OR IMPRISONMENT.

RELEVANT LAWS:

ARKANSAS PESTICIDE CONTROL ACT (REGISTRATION LAW)
(SESSION LAWS 1975, PAGE 417; ACT 410, 1975; SENATE BILL 423)

ARKANSAS PESTICIDE USE AND APPLICATION ACT
(SESSION LAWS, 1975, PAGE 389; ACT 389, 1975, SENATE BILL 407)

"ARKANSAS FOOD, DRUG, AND COSMETIC ACT"
(ARK. STAT. ANN., § 82-1101 TO 82-1123, 1960)

CALIFORNIA

TITLE:	CALIFORNIA AGRICULTURAL CODE (CAL. FOOD AND AGRIC. CODE, § 11401 TO 12121, SUPP. 1975)
	PEST CONTROL OPERATIONS INCLUDING: A. AGRICULTURAL PEST CONTROL LICENSE (APPLICATOR) B. AIRCRAFT OPERATION REGULATION C. AGRICULTURAL PEST CONTROL ADVISOR D. PESTICIDE DEALERS
PROHIBITED ACTS:	UNLAWFUL: 1. TO ENGAGE FOR HIRE IN THE BUSINESS OF PEST CONTROL WITHOUT AN AGRICULTURAL PEST CONTROL LICENSE. 2. TO ACT OR OFFER TO ACT AS AN AGRICULTURAL PEST CONTROL ADVISOR WITHOUT FIRST HAVING SECURED ... (A LICENSE) FROM THE DIRECTOR. 3. TO ACT OR OFFER TO ACT AS AN AGRICULTURAL PEST CONTROL ADVISOR WITHOUT FIRST REGISTERING WITH THE COUNTY AGRICULTURAL COMMISSIONER OF THAT COUNTY. 4. FOR ANY PEST CONTROL ADVISOR TO MAKE RECOMMENDATIONS IN A CATEGORY FOR WHICH HE IS NOT CERTIFIED. 5. TO ACT OR OFFER TO ACT AS A PESTICIDE DEALER UNLESS LICENSED BY THE DIRECTOR.
EXEMPTIONS:	1. STRUCTURAL PEST CONTROL OPERATIONS 2. TREATMENT OF FABRICS OR STRUCTURAL MATERIALS 3. HOUSEHOLD AND INDUSTRIAL SANITATION SERVICES 4. SEED TREATMENT (UNLESS PRINCIPAL BUSINESS) 5. TREE SURGERY (REGULATED UNDER OTHER STATUTES), AND 6. FEDERAL, STATE, COUNTY AND UNIVERSITY OF CALIFORNIA PERSONNEL ENGAGED IN OFFICIAL DUTIES RELATING TO AGRICULTURE
CERTIFICATION OR LICENSING:	
CATEGORIES	AGRICULTURAL PEST CONTROL ADVISER A. CONTROL OF INSECTS, MITES AND OTHER INVERTEBRATES B. CONTROL OF PLANT PATHOGENS C. CONTROL OF NEMATODES D. CONTROL OF VERTEBRATE PESTS E. CONTROL OF WEEDS F. DEFOLIATION G. PLANT GROWTH REGULATION
QUALIFICATIONS	APPLICANT MUST FURNISH INFORMATION TO SATISFY DIRECTOR OF HIS QUALIFICATIONS, AND BE RESPONSIBLE.
APPLICATION	ON FORM PRESCRIBED BY DIRECTOR
EXAMINATION	WRITTEN EXAMINATION REQUIRED
FEES	AGRICULTURAL PEST CONTROL (APPLICATOR) $ 50.00 DEALER 50.00 EACH BRANCH SALES LOCATION 20.00 PILOT 25.00 RENEWAL (PILOT) 15.00 AGRICULTURAL PEST CONTROL ADVISOR 25.00

ISSUANCE	LICENSE ISSUED BY DIRECTOR OF AGRICULTURE, EXPIRES DECEMBER 31.
RENEWAL	RENEWABLE ANNUALLY (PRIOR TO JANUARY 1 WITHOUT PENALTY) BY APPLICATION; MAY BE CANCELLED FOR CAUSE AFTER A HEARING.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	YES

PESTICIDE BOARD: (AGRICULTURAL PEST CONTROL ADVISORY COMMITTEE)

"THERE IS IN THE DEPARTMENT AN AGRICULTURAL PEST CONTROL ADVISORY COMMITTEE CONSISTING OF 11 MEMBERS. THE COMMITTEE SHALL BE APPOINTED BY THE DIRECTOR AND SHALL BE COMPOSED OF TWO PEST CONTROL RESEARCH SPECIALISTS AND ONE AGRICULTURAL EXTENSION SERVICE SPECIALIST NOMINATED BY THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, AND EIGHT ADDITIONAL MEMBERS, ONE EACH REPRESENTING THE FOLLOWING: THE CALIFORNIA STATE COLLEGES, AGRICULTURAL PEST CONTROL ADVISORS, LICENSED PEST CONTROL OPERATORS, THE STATE DEPARTMENT OF PUBLIC HEALTH, THE DEPARTMENT OF FISH AND GAME, PRODUCERS AS DEFINED IN SECTION 5611O, THE AGRICULTURAL CHEMICAL INDUSTRY, AND THE DEPARTMENT.

"THE TERM OF OFFICE OF THE MEMBERS OF THE COMMITTEE IS THREE YEARS. APPOINTMENT OF THE FIRST MEMBERS SHALL BE MADE SO THAT THE TERMS OF OFFICE OF THREE MEMBERS SHALL EXPIRE AT THE END OF ONE YEAR, FOUR AT THE END OF TWO YEARS, AND FOUR AT THE END OF THREE YEARS. THEREAFTER, APPOINTMENT SHALL BE FOR FULL THREE-YEAR TERMS. VACANCIES SHALL BE FILLED FOR AN UNEXPIRED TERM.

"THE COMMITTEE SHALL BE ADVISORY TO THE DIRECTOR ON ALL MATTERS CONCERNING THE EDUCATION, EXAMINATION, AND QUALIFICATIONS OF AGRICULTURAL PEST CONTROL ADVISORS, AND SHALL MEET ON THE CALL OF THE DIRECTOR."

DEFINITIONS:

1. AGRICULTURAL PEST CONTROL ADVISOR	7. OPERATOR
2. AGRICULTURAL USE	8. PEST CONTROL
3. COMMISSIONER	9. PEST CONTROL OPERATION
4. ENVIRONMENT	10. PESTICIDE
5. JUDGMENT	11. PESTICIDE DEALER
6. LICENSE	12. REGISTRANT
	13. RECOMMENDATION

(OTHER DEFINITIONS INCLUDED BY REFERENCE TO OTHER SECTIONS OF THE AGRICULTURAL CODE.)

FINANCIAL RESPONSIBILITY: PRESCRIBED BY REGULATION OF THE DIRECTOR. AIRCRAFT OPERATIONS ONLY -- $25,000 BOND OR INSURANCE REQUIRED AFTER JUDGMENT RENDERED IN COURT AGAINST PILOT APPLICATOR.

PENALTIES:

CIVIL: APPLICATOR FACING SUSPENSION OF LICENSE MAY PAY SUM OF MONEY IN LIEU THEREOF.

CRIMINAL: VIOLATION OF THE AGRICULTURAL CODE IS A MISDEMEANOR, SUBJECT TO A FINE OF $500 OR 6 MONTHS IN JAIL, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

RESTRICTED MATERIALS LAW (2,4-D, 1080, THALLIUM, ETC.)
(CAL. AGRIC. CODE, § 14001 TO 14104, SUPP. 1975)

PERMITS THE DIRECTOR TO DECLARE AND REGULATE THE USE OF "RESTRICTED" PESTICIDES. ESTABLISHES A "PERMIT" SYSTEM FOR PERSONS WHO USE OR PURCHASE RESTRICTED PESTICIDES (FARMERS).

PRODUCE CARRYING SPRAY RESIDUE (TOLERANCES)
(WEST'S ANN. AGRIC. CODE, § 12501 TO 12671, 1967)

ECONOMIC POISONS (REGISTRATION LAW)
(CAL. AGRIC. CODE, § 12751 TO 12994, SUPP. 1975)

"CALIFORNIA HAZARDOUS SUBSTANCES ACT"
(WEST'S ANN. HEALTH & SAFETY CODE, § 27740 TO 28702, 1967)

PESTICIDE POISONING
(WEST'S ANN. HEALTH & SAFETY CODE, § 2950, 1970)

REQUIRES PHYSICIANS TO REPORT PESTICIDE POISONING CASES TO HEALTH AND AGRICULTURAL DEPARTMENTS. DIRECTOR OF PUBLIC HEALTH MAY BE REQUIRED TO ASSIST IN CONDUCTING EPIDEMIOLOGIC INVESTIGATIONS REGARDING OUTBREAK IN PESTICIDE POISONING INCIDENTS.

STRUCTURAL PEST CONTROL ACT
(CAL. BUS. & PROF. CODE, § 8500 TO 8697.6, WEST SUPP. 1975)

DIVISION OF INDUSTRIAL SAFETY
WEST'S ANN. LABOR CODE, § 6300 ET SEQ., 1955)

MAY ISSUE SAFETY ORDERS WHICH AFFECT THE USE OF PESTICIDES WITH RESPECT TO WORKING CONDITIONS.

CALIFORNIA

TITLE: STRUCTURAL PEST CONTROL ACT
(CAL. BUS. & PROF. CODE, § 8500 TO 8697.6, WEST SUPP. 1975)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF STRUCTURAL PEST CONTROL, UNLESS LICENSED BY THE STRUCTURAL PEST CONTROL BOARD OF THE DEPARTMENT OF CONSUMER AFFAIRS.

EXEMPTIONS: PUBLIC UTILITIES UNDER THE STATE RAILROAD COMMISSION (WITH EXCEPTIONS), PERSONS ENGAGING IN AGRICULTURAL PEST CONTROL WORK LICENSED BY THE STATE AGRICULTURAL AUTHORITIES, PERSONS WORKING ON THEIR OWN PROPERTY (EXCEPT WHEN SUCH PROPERTY IS OPEN TO PUBLIC USE), GOVERNMENTAL AGENCIES, EDUCATIONAL INSTITUTIONS OR STATE AGENCIES ENGAGED IN RESEARCH OR STUDIES OF PEST CONTROL, AND ARCHITECTS AND ENGINEERS WORKING IN THEIR PROFESSIONAL CAPACITY.

CERTIFICATION OR LICENSING:

CATEGORIES: BRANCH 1 - FUMIGATION
BRANCH 2 - GENERAL PEST
BRANCH 3 - TERMITE

(FORMER GROUPS A THROUGH I, NOW CONSOLIDATED INTO ABOVE THREE BRANCHES)

QUALIFICATIONS: EIGHTEEN YEARS OF AGE, OR OVER. OPERATORS LICENSE REQUIRE FROM TWO TO FOUR YEARS EXPERIENCE UNDER A LICENSED OPERATOR. FIELD REPRESENTATIVE LICENSE (BRANCH 1 - FUMIGATION) REQUIRES SIX MONTHS TRAINING AND EXPERIENCE UNDER LICENSED FUMIGATOR.

APPLICATION: ON FORMS PROVIDED BY BOARD, UNDER OATH, SUBJECT TO PENALTY OF PERJURY, ACCOMPANIED BY EXAMINATION FEE.

EXAMINATION: WRITTEN EXAMINATION REQUIRED.

FEES:

	ESTABLISHED BY: LAW MIN	LAW MAX	REGULATION (ACTUAL)
OPERATORS EXAM	$ 10.00	25.00	25.00
OPERATORS LICENSE	25.00	50.00	50.00
OPERATORS LICENSE RENEWAL	25.00	50.00	50.00
OFFICE REGISTRATION	25.00	50.00	40.00
OFFICE REGISTRATION RENEWAL	25.00	50.00	40.00
BRANCH OFFICE REGISTRATION	10.00	25.00	20.00
BRANCH OFFICE REGISTRATION RENEWAL	10.00	25.00	20.00
FIELD REPRESENTATIVE EXAM	5.00	15.00	10.00
FIELD REPRESENTATIVE LICENSE	5.00	15.00	10.00
FIELD REPRESENTATIVE LICENSE RENEWAL	5.00	15.00	10.00
SOLICITOR TRAINEE'S PERMIT	10.00	25.00	
INSPECTION REPORT FILING	.50	1.00	.50
CERTIFIED COPY OF INSPECTION REPORT	.50	3.00	
NOTICE OF WORK COMPLETED	.50	2.00	1.00

FEE FOR CHANGE OF NAME OR ISSUANCE OF A DUPLICATE LICENSE IS FIXED AT $2.00.

ISSUANCE: UPON SATISFACTORY COMPLETION OF EXAMINATION (70% PASSING GRADE) AND PAYMENT OF FEES. LICENSES AND OFFICE REGISTRATIONS EXPIRE JUNE 30.

RENEWAL	RENEWABLE UPON PAYMENT OF FEE. DELINQUENCY OF OVER THREE MONTHS IN PAYMENT OF FEE, SUBJECTS APPLICANT TO RE-EXAMINATION. DELINQUENCY BEYOND JUNE 30, BUT LESS THAN THREE MONTHS, SUBJECT TO PENALTY OF 100% OF RENEWAL FEE.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	YES

PESTICIDE BOARD:	STRUCTURAL PEST CONTROL BOARD. " ... THERE IS IN THE DEPARTMENT OF CONSUMER AFFAIRS A STRUCTURAL PEST CONTROL BOARD ... COMPOSED OF SIX MEMBERS (APPOINTED BY THE GOVERNOR) ... FOUR OF WHOM SHALL BE (LICENSED OPERATORS WITH 5 YEARS OF EXPERIENCE) ... AND TWO PUBLIC MEMBERS ... (UNLICENSED) ... APPOINTED ... FOR A TERM OF FOUR YEARS ... MEET ANNUALLY DURING ... OCTOBER (PLUS SPECIAL MEETING, IF CALLED) ... ELECT A PRESIDENT ... AND APPOINT A REGISTRAR (EXECUTIVE OFFICER AND SECRETARY)."

DEFINITIONS:

1. BOARD
2. BRANCH OFFICE
3. CODE
4. DIRECT AND PERSONAL SUPERVISION
5. DIRECTOR (DEPARTMENT OF CONSUMER AFFAIRS)
6. EMPLOYER
7. FUMIGATION AND FUMIGANT
8. HOUSEHOLD
9. HOUSEHOLD PESTS
10. MANUFACTURER
11. PERSON
12. PRINCIPAL OFFICE
13. REGISTRAR
14. STRUCTURAL PEST CONTROL
15. STRUCTURAL PEST CONTROL FIELD REPRESENTATIVE
16. STRUCTURAL PEST CONTROL OPERATOR

FINANCIAL RESPONSIBILITY:

LIABILITY INSURANCE OF $25,000 FOR (ONE) PERSONAL INJURY, $25,000 FOR ANY ONE ACCIDENT, $25,000 FOR PROPERTY DAMAGE; OR IN LIEU OF INSURANCE, A SURETY BOND OF $25,000. CASH OR ITS EQUIVALENT MAY BE DEPOSITED WITH THE BOARD IN LIEU OF INSURANCE OR BOND. ADDITIONALLY AN INDEMNITY BOND OF $2,000 REQUIRED (TO PROTECT AGAINST FRAUD OR DISHONESTY OF A LICENSEE IN PERFORMANCE OF A CONTRACT).

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF ACT CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $50 NOR MORE THAN $500, OR IMPRISONMENT IN COUNTY JAIL FOR NOT OVER SIX MONTHS, OR BOTH FINE AND IMPRISONMENT. VIOLATION OF REGULATIONS CONSTITUTES GROUNDS FOR DISCIPLINARY ACTION. STATUTE OF LIMITATIONS IS TWO YEARS.

RELEVANT LAWS:

CALIFORNIA AGRICULTURAL CODE (PEST CONTROL OPERATIONS)
(CAL. AGRIC. CODE, § 11401 TO 12121, SUPP. 1975)

RESTRICTED MATERIALS LAW (2,4-D, 1080, THALLIUM)
(WEST'S ANN. AGRIC. CODE, § 14001 TO 14104, SUPP. 1975)

PRODUCE CARRYING SPRAY RESIDUE (TOLERANCES)
(WEST'S ANN. AGRIC. CODE, § 12501 TO 12671, SUPP. 1974)

ECONOMIC POISONS (REGISTRATION LAW)
(CAL. AGRIC. CODE, § 12751 TO 12994, SUPP. 1975)

"CALIFORNIA HAZARDOUS SUBSTANCES ACT"
(WEST'S ANN. HEALTH & SAFETY CODE, § 27740 TO 28792, SUPP. 1974)

PESTICIDE POISONING
(WEST'S ANN. HEALTH & SAFETY CODE, § 2950 TO 2951, SUPP. 1974)

DIVISION OF INDUSTRIAL SAFETY
(WEST'S ANN. LABOR CODE, § 6300 ET SEQ., 1971)

COLORADO

TITLE: "COMMERCIAL PESTICIDE APPLICATOR'S ACT"
(COLO. REV. STAT. ANN., § 6-14-1 TO 6-14-22, 1963)

PROHIBITED ACTS: UNLAWFUL TO APPLY PESTICIDES FOR HIRE UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE, OR TO ACT AS A PESTICIDE DEALER WITHOUT A LICENSE. ANY BODY POLITIC OR LICENSEE REQUIRED TO OBTAIN A PERMIT TO USE A RESTRICTED PESTICIDE.

EXEMPTIONS: PERSONS APPLYING PESTICIDES ON THEIR OWN OR CONTROLLED PROPERTY, OCCASIONAL APPLICATORS WORKING ON ADJACENT PROPERTY, APPLICATORS OF FERTILIZER AND SOIL CONDITIONERS.

CERTIFICATION OR LICENSING:

CATEGORIES: AGRICULTURAL APPLICATOR
ORNAMENTAL APPLICATOR

QUALIFICATIONS: QUALIFYING EXPERIENCE, GAINED WITHIN 3 YEARS IMMEDIATELY PRECEDING APPLICATION.

APPLICATION: NO SPECIFIC FORM REQUIRED.

EXAMINATION: BOTH ORAL AND WRITTEN EXAMINATION REQUIRED.

FEES:

APPLICATION FEE	$ 25.00
ANNUAL LICENSE FEE	25.00
ANNUAL EQUIPMENT REGISTRATION FEE:	
FOR FIRST 10 UNITS, EACH	10.00
FOR OVER 10 UNITS, EACH	5.00
RESTRICTED PESTICIDE PERMIT	NO FEE

ISSUANCE: CALENDAR YEAR LICENSE ISSUED BY COMMISSIONER TO QUALIFIED APPLICANTS; LICENSE MAY RESTRICT INDIVIDUALS TO CERTAIN TYPES OF EQUIPMENT OR MATERIALS.

RENEWAL: RENEWABLE PRIOR TO DECEMBER 31. LICENSE MAY BE REVOKED FOR CAUSE, WITH OPPORTUNITY FOR A HEARING. LICENSEES MUST ATTEND EXTENSION SERVICE APPLICATOR WORKSHOP AT LEAST EVERY OTHER YEAR OR LOSE LICENSE.

NONRESIDENTS: REQUIRED TO HAVE OR TO DESIGNATE A RESIDENT AGENT TO ACCEPT SERVICE OF LEGAL PROCESS. NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES

INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE. (THE ACT PROVIDES FOR AN ADVISORY COMMITTEE, INCLUDING AGRICULTURAL AND ORNAMENTAL LICENSED APPLICATORS.)

DEFINITIONS:

1. ADVERTISE
2. AGENT
3. AGRICULTURAL APPLICATOR
4. AGRICULTURAL PEST
5. APPLICANT
6. APPLICATOR
7. BODY POLITIC
8. CERTIFICATE OF REGISTRATION
9. COMMERCIAL APPLICATOR
10. COMMISSION
11. COMMISSIONER
12. DEFOLIANT
13. DEPARTMENT
14. DESICCANT
15. DEVICE
16. EQUIPMENT
17. FUNGI
18. FUNGICIDE
19. HERBICIDE
20. INSECTICIDE
21. INSECTS
22. LICENSEE
23. NEMATODE
24. NEMATOCIDE
25. ORNAMENTAL APPLICATOR
26. ORNAMENTAL PEST
27. PERSON
28. PESTICIDE
29. PLANT REGULATOR
30. QUALIFIED APPLICATOR
31. STOP WORK ORDER
32. STRUCTURAL PEST CONTROL
33. WEED

FINANCIAL RESPONSIBILITY: PERSONAL INJURY $25,000/50,000; PROPERTY DAMAGE $5,000.

PENALTIES:	
CIVIL	NONE.
CRIMINAL	VIOLATION CONSTITUTES A NUISANCE SUBJECT TO ABATEMENT BY INJUNCTION; CONVICTION SUBJECTS VIOLATOR TO FINE OF FROM $100 TO $1,000 DEPENDING UPON SECTION VIOLATED AND WHETHER A FIRST OR SUBSEQUENT OFFENSE.
RELEVANT LAWS:	"THE PESTICIDE ACT" (REGISTRATION LAW) (COLO. REV. STAT. ANN., § 6-12-1 TO 6-12-17, 19[illegible])
	"STRUCTURAL PEST CONTROL ACT" (COLO. REV. STAT. ANN., § 6-18-1 TO 6-18-19, 19[illegible])
	PROVIDES THAT PERSONS WHO ENGAGE IN STRUCTURAL PEST CONTROL SHALL BE QUALIFIED, EXAMINED, AND LICENSED BY THE COMMISSIONER OF AGRICULTURE.
	"COLORADO FOOD AND DRUG ACT" (COLO. REV. STAT., § 66-20-1 ET SEQ., 1963)
	ADOPTS BY REFERENCE CERTAIN PROVISIONS OF PERTINENT FEDERAL LAWS.

COLORADO

TITLE: "STRUCTURAL PEST CONTROL ACT"
(COLO. REV. STAT. ANN., § 6-18-19, SUPP. 19[illegible])

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF STRUCTURAL PEST CONTROL UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE. OTHER PROHIBITED ACTS ARE INCLUDED IN VARIOUS SECTIONS OF THE ACT.

EXEMPTIONS: GRANDFATHER CLAUSE EXEMPTS QUALIFIED PERSONS IN BUSINESS ON JANUARY 1, 1971.

CERTIFICATION OR LICENSING:

CATEGORIES: STRUCTURAL PEST CONTROL.

QUALIFICATIONS: KNOWLEDGE OF THE PRACTICAL AND SCIENTIFIC FACTS RELATING TO STRUCTURAL PEST CONTROL, TWO YEARS EXPERIENCE, ONE OF WHICH WAS WITHIN THE LAST FIVE YEARS, (ONE YEAR OF TRAINING MAY SUBSTITUTE FOR ONE-FOURTH YEAR OF EXPERIENCE) OR A COLLEGE DEGREE WITH A MAJOR IN ENTOMOLOGY, OR SANITARY OR PUBLIC HEALTH ENGINEERING (PLUS EXPERIENCE).

APPLICATION: ON FORMS PROVIDED BY THE COMMISSIONER, ACCOMPANIED BY NON-REFUNDABLE EXAMINATION FEE OF $25.

EXAMINATION: ORAL AND WRITTEN. ORAL EXAMINING BOARD TO MEET MONTHLY; WRITTEN EXAMINATIONS MAY BE TAKEN ON REGULAR WORK DAYS DURING PRESCRIBED HOURS.

FEES:

EXAMINATION	$ 25.00
LICENSE	50.00
RENEWAL OF LICENSE	50.00
EMPLOYEES OF BODY POLITIC	NONE
EQUIPMENT REGISTRATION FEE	NONE
DELINQUENT RENEWAL (ADDITIONAL)	50.00

ISSUANCE: UPON SATISFACTORY COMPLETION OF EXAMINATION. LICENSES EXPIRE DECEMBER 31.

RENEWAL: RENEWABLE BETWEEN OCTOBER-DECEMBER.

NONRESIDENTS: NO PROVISION FOR RECIPROCITY. MUST HAVE A RESIDENT AGENT OR DESIGNATE SECRETARY OF STATE, UNDER POWER OF ATTORNEY, AS AGENT TO ACCEPT SERVICE OF LEGAL PROCESSES.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES

INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: ADVISORY COMMITTEE " ... THE COMMISSIONER SHALL APPOINT AN ADVISORY COMMITTEE OF SIX MEMBERS TO ASSIST IN PREPARING WRITTEN EXAMINATIONS ... FORMULATING RULES AND REGULATIONS ... CONSIST(ING) OF THREE ... RESIDENTS ... LICENSED UNDER THIS ARTICLE ... THE HEAD OF THE DEPARTMENT OF ENTOMOLOGY OF COLORADO STATE UNIVERSITY (OR DESIGNEE) ... THE CHIEF OF THE DIVISION OF PLANT INDUSTRY OF THE DEPARTMENT OF AGRICULTURE ... AND ... THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH (OR DESIGNEE)."

DEFINITIONS:

(LAW)

1. APPLICANT
2. BODY POLITIC
3. CERTIFICATE OF REGISTRATION
4. COMMISSIONER (OF AGRICULTURE)
5. FUNGI
6. INSECT
7. LICENSEE
8. NEMATODE
9. PERSON
10. PESTICIDE
11. STRUCTURAL PEST CONTROL

(REGULATION)

1. BIRD POISONS OR REPELLANTS
2. DEVICE
3. FISH POISONS OR REPELLANTS
4. FOOD DISPENSING ESTABLISHMENT
5. FOOD PROCESSING ESTABLISHMENT
6. FUMIGANT
7. FUMIGATION
8. FUNGICIDE
9. HOUSEHOLD PEST CONTROL
10. INSECTICIDE
11. INVERTEBRATE ANIMAL POISONS OR REPELLANTS
12. MAMMAL POISONS OR REPELLANTS
13. PEST
14. PESTICIDE

15. QUALIFIED SUPERVISOR
16. REGISTERED APPROVED USES
17. RESTRICTED USE PESTICIDES
18. RODENT CONTROL
19. RODENTICIDE
20. STRUCTURAL PEST CONTROL
21. STRUCTURE
22. WOOD DESTROYING ORGANISMS CONTROL

FINANCIAL RESPONSIBILITY: LIABILITY INSURANCE:

BODILY INJURY, PER PERSON	$ 50,000.00
BODILY INJURY, PER OCCURRENCE	100,000.00
PROPERTY DAMAGE	50,000.00
PERFORMANCE BOND	NONE

APPLICANT MAY FURNISH "OTHER EVIDENCE" OF FINANCIAL RESPONSIBILITY ACCEPTABLE TO COMMISSIONER.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $500, OR BY IMPRISONMENT IN THE COUNTY JAIL OF NOT MORE THAN 90 DAYS, OR BOTH FINE AND IMPRISONMENT. INJUNCTIVE PROCESSES AUTHORIZED. COMMISSIONER MAY ISSUE "STOP WORK" ORDER.

RELEVANT LAWS:

"THE PESTICIDE ACT" (REGISTRATION LAW)
(COLO. REV. STAT. ANN., § 6-12-1 TO 6-12-17, [illegible])

"COMMERCIAL PESTICIDE APPLICATORS ACT"
(COLO. REV. STAT. ANN., § 6-14-1 TO 6-1-22, [illegible])

"COLORADO FOOD AND DRUG ACT"
(COLO. REV. STAT., § 66-20-1 ET SEQ., 1963)

"COLORADO HAZARDOUS SUBSTANCES ACT OF 1973"
(CHAPT. 208 SESSION LAWS, 1973)

CONNECTICUT

TITLE:	CONNECTICUT PESTICIDE CONTROL ACT* (GEN. STAT. COMP., § 22A 46 TO 22A 66, 1975)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN COMMERCIAL APPLICATION OF PESTICIDES UNLESS LICENSED BY THE COMMISSIONER OF ENVIRONMENTAL PROTECTION. NO INDIVIDUAL SHALL USE OR SUPERVISE THE USE OF ANY RESTRICTED USE PESTICIDE UNLESS CERTIFIED.
EXEMPTIONS:	PERSONS UNDER THE DIRECT SUPERVISION OF A PRIVATE APPLICATOR.
CERTIFICATION OR LICENSING:	
CATEGORIES	1. COMMERCIAL: A. SUPERVISORY B. OPERATIONAL 2. COMMERCIAL TREE WORK 3. PRIVATE 4. AIRCRAFT
QUALIFICATIONS	INDIVIDUALS SHALL BE COMPETENT (AS IN FEDERAL STANDARDS).
APPLICATION	MADE TO THE COMMISSIONER CONTAINING INFORMATION "AS THE COMMISSIONER MAY REQUIRE."
EXAMINATION	MUST DEMONSTRATE ADEQUATE KNOWLEDGE CONCERNING PROPER USE AND APPLICATION OF PESTICIDES.
FEES	ESTABLISHED BY REGULATION.
ISSUANCE	UPON BEING FOUND QUALIFIED
RENEWAL	LICENSE VALID FOR FIVE YEARS AND MAY BE RENEWED WITH OR WITHOUT EXAMINATION. PROVISIONS FOR SUSPENSION OR REVOCATION OF LICENSES.
NONRESIDENTS	PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES

*PORTIONS OF THE ACT RELATING TO THE REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "THE COMMISSIONER SHALL ESTABLISH A PESTICIDE ADVISORY COUNCIL CONSISTING OF, BUT NOT LIMITED TO, THE DIRECTOR OF THE AGRICULTURAL EXPERIMENT STATION, THE COMMISSIONER OF AGRICULTURE, THE COMMISSIONER OF HEALTH, AND THE DEAN OF THE COLLEGE OF AGRICULTURE OF THE UNIVERSITY OF CONNECTICUT OR THEIR RESPECTIVE DESIGNEES. THE COUNCIL SHALL MEET AT LEAST ANNUALLY AND THE COMMISSIONER MAY CONSULT WITH THE PESTICIDE ADVISORY COUNCIL ON TECHNICAL MATTERS INVOLVING THE APPLICATION AND USE OF PESTICIDES, THE DETERMINATION OF IMMINENT HAZARDS AND THE UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT BEFORE PROMULGATING REGULATIONS OR ORDERS IN CARRYING OUT THIS ACT..."

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADULTERATED
3. ANIMAL
4. CERTIFIED APPLICATOR
5. COMMERCIAL APPLICATOR
6. COMMISSIONER
7. DEFOLIANT
8. DESICCANT
9. DEVICE
10. ENVIRONMENT
11. IMMINENT HAZARD
12. INERT INGREDIENT
13. INGREDIENT STATEMENT
14. INSECT
15. LABEL
16. LABELING
17. MICRO-ORGANISM
18. MISBRANDED
19. NEMATODE
20. PERSON
21. PEST
22. PESTICIDE
23. PLANT REGULATOR
24. PRIVATE APPLICATOR
25. REGISTRANT
26. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
27. WEED

FINANCIAL RESPONSIBILITY: COMMERCIAL AND AIRCRAFT APPLICATORS TO FURNISH PROOF OF FINANCIAL RESPONSIBILITY IN AMOUNTS DETERMINED BY THE COMMISSIONER TO BE NECESSARY TO PROTECT THE PUBLIC.

PENALTIES:

CIVIL: THE COMMISSIONER MAY ESTABLISH PENALTIES FOR VIOLATION OF REGULATIONS.

CRIMINAL: VIOLATION OF ACT BY COMMERCIAL APPLICATORS OR UNLICENSED PERSONS SUBJECT TO A FINE OF NOT MORE THAN $25,000 OR IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BOTH. VIOLATION OF ACT BY PRIVATE APPLICATORS SUBJECT TO A FINE OF NOT MORE THAN $1,000 OR, IMPRISONMENT FOR NOT MORE THAN THIRTY DAYS OR BOTH.

RELEVANT LAWS:

GEN. STAT. CONN. § 19-300 (T)
REGULATES THE SALE, USE, OR POSSESSION OF SODIUM FLUORACETATE.

GEN. STAT. CONN. § 19-300 (V)
REQUIRES PERMITS FOR USE OF PESTICIDES IN STATE WATERS.

TREE EXPERT LAW
(GEN. STAT. CONN. § 23-61 ET SEQ.)

DELAWARE

TITLE: CHAPTER 12. PESTICIDES*
(DELAWARE CODE, TIT. 3, § 1201 TO 1219, SUPP. 1972)

PROHIBITED ACTS: UNLAWFUL TO:

(1) PURCHASE OR USE A RESTRICTED PESTICIDE EXCEPT IN ACCORDANCE WITH A PERMIT GRANTED BY THE SECRETARY OF THE DEPARTMENT OF AGRICULTURE,

(2) SELL OR OFFER TO SELL TO A PERSON NOT POSSESSING A VALID PURCHASE AND USE PERMIT,

(3) DISPOSE OF RESTRICTED PESTICIDES EXCEPT IN ACCORDANCE WITH STATE REGULATIONS.

CERTIFICATION OR LICENSING: "PERMITS" REQUIRED TO PURCHASE OR USE A RESTRICTED PESTICIDE. "NO APPLICATOR'S PERMITS WILL BE ISSUED UNLESS THE PERMIT HOLDER OPERATES UNDER AN AUTHORIZED CONSULTANT OR HAS DEMONSTRATED EXPERTISE IN THE PROPER USE OF THE PESTICIDE FOR WHICH THE PERMIT IS ISSUED."

CATEGORIES STRUCTURAL PESTICIDE APPLICATOR
COMMERCIAL PESTICIDE APPLICATOR

QUALIFICATIONS INDIVIDUALS MUST BE "COMPETENT" (AS IN FEDERAL STANDARDS).

APPLICATION ON FORMS PROVIDED BY THE SECRETARY.

EXAMINATION NOT SPECIFIED IN ACT.

FEES ESTABLISHED BY REGULATION BUT MAY NOT EXCEED $15 FOR EACH PERMIT.

ISSUANCE PERMIT MAY SPECIFY " ... THE AREA, TIME, AMOUNT OR RATE OF APPLICATION OR SUCH OTHER CONDITIONS OF USE AS ... NECESSARY ... "

RENEWAL ALL PESTICIDE APPLICATOR PERMITS SHALL BE ISSUED ON A CALENDAR YEAR BASIS. PERMITS MAY BE CANCELLED FOR VIOLATION OF THE ACT OR IF AN EMERGENCY CREATES A CLEAR AND PRESENT DANGER TO THE OVERALL PUBLIC INTEREST AND WELFARE FROM THE USES AUTHORIZED BY THE PERMIT. ADMINISTRATIVE AND JUDICIAL REVIEWS PROVIDED FOR ADVERSE ACTIONS.

NONRESIDENTS NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	NO	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES

*PORTIONS OF THE ACT WHICH RELATE TO REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	NO
RECORDS OPEN FOR INSPECTION	NO	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT UAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD:

"(A) THERE IS HEREBY CREATED A PESTICIDE ADVISORY COMMITTEE, CONSISTING OF THREE PESTICIDE APPLICATORS RESIDING IN THE STATE, ONE QUALIFIED TO OPERATE GROUND EQUIPMENT, ONE QUALIFIED TO OPERATE AERIAL EQUIPMENT AND ONE QUALIFIED FOR STRUCTURAL PEST CONTROL; ONE ENTOMOLOGIST IN PUBLIC SERVICE; ONE ENVIRONMENTAL HEALTH SPECIALIST FROM THE STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES; ONE TOXICOLOGIST IN PUBLIC SERVICE; ONE PLANT PATHOLOGIST IN PUBLIC SERVICE; ONE MEMBER FROM THE AGRICULTURAL CHEMICAL INDUSTRY; ONE MEMBER FROM THE FOOD PROCESSING INDUSTRY; ONE PRODUCER OF AGRICULTURAL CROPS OR PRODUCTS ON WHICH PESTICIDES ARE APPLIED OR WHICH MAY BE AFFECTED BY THE APPLICATION OF PESTICIDES; TWO REPRESENTATIVES OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL -- ONE WHO IN HIS EMPLOYMENT IS RESPONSIBLE FOR THE PROTECTION OF ENVIRONMENTAL CONTROL, AND ONE WHO IN HIS EMPLOYMENT IS RESPONSIBLE FOR FISH AND WILDLIFE PROTECTION. SUCH MEMBERS SHALL BE APPOINTED BY THE GOVERNOR FOR TERMS OF THREE YEARS AND MAY BE APPOINTED FOR SUCCESSIVE THREE YEAR TERMS AT THE DISCRETION OF THE GOVERNOR. THE GOVERNOR MAY REMOVE ANY MEMBER OF THE COMMITTEE PRIOR TO THE EXPIRATION OF HIS TERM OF APPOINTMENT FOR CAUSE; ...

" ... (B) UPON THE DEATH, RESIGNATION, OR REMOVAL FOR CAUSE OF ANY MEMBER OF THE COMMITTEE, THE GOVERNOR SHALL FILL SUCH VACANCY.

"(C) THE COMMITTEE SHALL ADVISE THE DEPARTMENT ON ANY OR ALL PROBLEMS RELATING TO THE USE AND APPLICATION OF PESTICIDES IN THE STATE.

"(D) THE COMMITTEE SHALL ELECT ONE OF ITS MEMBERS CHAIRMAN. THE MEMBERS OF THE COMMITTEE SHALL MEET AT SUCH TIME AND AT SUCH PLACE AS SHALL BE SPECIFIED BY THE CALL OF THE DEPARTMENT, CHAIRMAN, OR A MAJORITY OF THE COMMITTEE ..."

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADULTERATED
3. ANTIDOTE
4. COMMERCIAL PESTICIDE
5. APPLICATOR
6. DEPARTMENT
7. DESICCANT
8. DEVICE
9. FUNGI
10. FUNGICIDE
11. HERBICIDE
12. INERT INGREDIENT
13. INGREDIENT STATEMENT
14. INSECT
15. INSECTICIDE
16. LABELING
17. MISBRANDED
18. MITE
19. MITICIDE
20. NEMATODE
22. PERSON
23. PESTICIDES
24. PLANT REGULATOR
25. REGISTRANT
26. RESTRICTED USE PESTICIDE
27. RODENTICIDE
28. SECRETARY
29. STRUCTURAL PESTICIDE APPLICATOR
30. USER
31. WEED

FINANCIAL RESPONSIBILITY: NONE.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT SUBJECT TO A FINE OF NOT MORE THAN $1,000 FOR EACH OFFENSE. PROVISION MADE FOR A "STOP SALE, USE OR REMOVAL" ORDER AS WELL AS INJUNCTIVE PROCEDURES.

RELEVANT LAWS: PEST CONTROL COMPACT
(DELAWARE CODE, TIT. 3, § 9001 TO 9027, 1971)

FLORIDA

TITLE: "FLORIDA PESTICIDE LAW" (REGISTRATION LAW)
(FLA. STAT. ANN., § 487.011 TO 487.14, SUPP. 1974)
THIS IS A UNIFORM STATE REGISTRATION LAW WHICH WAS AMENDED IN 1970 TO RESTRICT THE USE OF CERTAIN PESTICIDES. IT AUTHORIZES THE DEPARTMENT OF AGRICULTURE TO DESIGNATE PESTICIDES WHICH SHOULD BE RESTRICTED IN THEIR SALE AND USE, AND TO REQUIRE ALL PERSONS WHO WISH TO USE A RESTRICTED PESTICIDE, TO OBTAIN A PERMIT TO PURCHASE, POSSESS, OR USE THEM.

PROHIBITED ACTS: UNLAWFUL ...

1. TO SELL "RESTRICTED PESTICIDES" WITHOUT A LICENSE,
2. TO PURCHASE OR POSSESS "RESTRICTED PESTICIDES" WITHOUT A PERMIT, AND
3. TO USE OR DISPOSE OF A RESTRICTED PESTICIDE, EXCEPT IN A MANNER AUTHORIZED BY THE PERMIT AND ACCORDING TO LABEL DIRECTIONS.

RELEVANT LAWS: "PEST CONTROL ACT" (STRUCTURAL)
(FLA. STAT. ANN., § 482.001 TO 482.25, SUPP. 1974)

RELATES TO CONTROL OF PESTS IN STRUCTURES, LAWNS, ORNAMENTALS, AND OTHER NONAGRICULTURAL ENVIRONMENTS. ADMINISTERED BY THE STATE BOARD OF HEALTH.

"FLORIDA PESTICIDE APPLICATION ACT OF 1974"
(FLA. STAT. ANN., § 487.151 TO 487.169, SUPP. 1974)

"FLORIDA FOOD, DRUG, AND COSMETIC LAW"
(FLA. STAT. ANN., § 500.01 TO 500.45, 196[illegible])

SEC. 500.13 ... RELATES TO PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES.

FLORIDA

TITLE:	"FLORIDA PESTICIDE APPLICATION ACT OF 1974" (FLA. STAT. ANN., § 487.151 TO 487.166, SUPP. 1974)
PROHIBITED ACTS:	UNLAWFUL (AFTER OCTOBER 21, 1976) TO ENGAGE IN THE BUSINESS OF APPLYING RESTRICTED PESTICIDES WITHOUT A CERTIFIED APPLICATORS LICENSE.
EXEMPTIONS:	PERSONS REGULATED UNDER OTHER CHAPTERS OF FLORIDA STATUTES (STRUCTURAL PEST CONTROL).
CERTIFICATION OR LICENSING:	
CATEGORIES	COMMERCIAL PRIVATE PUBLIC OTHERS AUTHORIZED
QUALIFICATIONS	PRESCRIBED BY RULE. MUST BE COMPETENT (AS IN FEDERAL STANDARDS).
APPLICATION	IN WRITING ON FORMS FURNISHED BY THE DEPARTMENT.
EXAMINATION	TO DEMONSTRATE COMPETENCE BY ORAL OR WRITTEN EXAMINATION OR OTHER EQUIVALENT PROCEDURES ESTABLISHED BY RULES.
FEES	TO BE ESTABLISHED AT REGULATION.

APPLICATION AND PROCESSING, NOT TO EXCEED	$ 100.00
RENEWAL	5.00
LATE RENEWAL, PLUS	10%
GOVERNMENT AGENCY PERSONNEL	EXEMPT

ISSUANCE	UPON BEING FOUND QUALIFIED.
RENEWAL	AT LEAST EVERY THREE YEARS.
NONRESIDENTS	MUST FILE WRITTEN POWER OF ATTORNEY DESIGNATING SECRETARY OF STATE UPON WHOM SERVICE OF LEGAL PROCESSES MAY BE HAD. NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	NO	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO

PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: YES. PESTICIDE APPLICATION COUNCIL (CHAPTER 487.061 FLA. STAT.).

DEFINITIONS:

1. AIRCRAFT
2. ANIMAL
4. CERTIFIED APPLICATOR
5. COMMERCIAL APPLICATOR
6. COUNCIL
7. DEFOLIANT
8. DESICCANT
9. DEVICE
10. EQUIPMENT
11. FUNGI
12. FUNGICIDE
13. HERBICIDE
14. INSECT
15. INSECTICIDE
16. LAND
17. NEMATOCIDE
18. NEMATODE
19. PERSON
20. PEST
21. PESTICIDE
22. PLANT REGULATOR
23. PRIVATE APPLICATOR
24. PUBLIC APPLICATOR
25. RESTRICTED PESTICIDE
26. RODENTICIDE
27. UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR
28. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
29. WEED
30. WILDLIFE

FINANCIAL RESPONSIBILITY: NONE.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF LAW OR REGULATION CONSTITUTES A MISDEMEANOR OF SECOND DEGREE. SUBSEQUENT VIOLATION CONSTITUTES MISDEMEANOR OF FIRST DEGREE.

RELEVANT LAWS:

"PEST CONTROL ACT" (STRUCTURAL)
(FLA. STAT. ANN., § 482.011 TO 482.25, SUPP. 1974)

"FLORIDA PESTICIDE LAW" (REGISTRATION LAW)
(FLA. STAT. ANN., § 487.011 TO 487.16, SUPP. 1974)

"FLORIDA FOOD, DRUG AND COSMETIC LAW"
(FLA. STAT. ANN., § 500.01 TO 500.45)

FLORIDA

TITLE: "THE PEST CONTROL ACT"*
(FLA. STAT. ANN., § 482.011 TO 482.25, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO OPERATE OR ENGAGE IN THE PEST CONTROL BUSINESS UNLESS LICENSED BY THE DIVISION OF HEALTH, DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES.

EXEMPTIONS: STATE, FEDERAL, MUNICIPAL, OR COUNTY GOVERNMENTAL AGENCIES; STATE AND EDUCATIONAL AGENCIES ENGAGED IN RESEARCH PERTAINING TO PEST CONTROL; GREENHOUSES, NURSERIES, PRODUCERS OF AGRICULTURAL COMMODITIES, AND PERSONS CONTROLLING PESTS ON THEIR OWN PROPERTY (EXCEPT BY FUMIGATION); LAWN AND ORNAMENTAL PEST CONTROL PERFORMED ON AN AGRICULTURAL AREA; PRESERVATIVE TREATMENT OF STRUCTURAL MATERIALS USED IN CONSTRUCTION (PRE-TREATMENT). HOWEVER, EXEMPTED PERSONS "... SHALL EMPLOY ALL ... MATERIALS (SO AS TO) AVOID HAZARDS TO PUBLIC HEALTH AND SAFETY ... (AND) SHALL NOT ... PERFORM FUMIGATION ... "

CERTIFICATION OR LICENSING:

CATEGORIES

PRINCIPAL:
1. FUMIGATION
2. GENERAL HOUSEHOLD PESTS, INCLUDING RODENT CONTROL
3. LAWN AND ORNAMENTAL PEST CONTROL
4. TERMITES, INCLUDING OTHER WOOD INFESTING ORGANISMS

LIMITED: (VALID ONLY IF LICENSE ISSUED BEFORE OCTOBER 1, 1959)
GENERAL HOUSEHOLD PESTS, EXCLUDING RODENT CONTROL;
RODENT CONTROL, EXCLUDING GENERAL HOUSEHOLD PESTS

QUALIFICATIONS

(PEST CONTROL OPERATOR'S CERTIFICATE) - HIGH SCHOOL GRADUATE, OR EQUIVALENT, A UNITED STATES CITIZEN AND A RESIDENT OF THE STATE OF FLORIDA, AND HAS REACHED THE AGE OF MAJORITY. THREE YEARS AS A SERVICE EMPLOYEE OF A LICENSEE, ONE YEAR OF WHICH IMMEDIATELY PRECEDES APPLICATION; OR A DEGREE WITH ADVANCED TRAINING, OR MAJOR IN ENTOMOLOGY OR HORTICULTURE; MAJORS IN ENTOMOLOGY QUALIFY FOR ALL CATEGORIES, WHILE MAJORS IN HORTICULTURE QUALIFY IN LAWN AND ORNAMENTAL PEST CONTROL ONLY.

APPLICATION

ON FORMS PROVIDED BY THE DIVISION, ACCOMPANIED BY FEE OF NOT MORE THAN $25 (NON-REFUNDABLE) FOR EACH CATEGORY DESIRED.

EXAMINATION

WRITTEN, WHICH MAY INCLUDE PRACTICAL DEMONSTRATION. MINIMUM OF TWO EXAMINATIONS ANNUALLY (JUNE AND DECEMBER). FOUR HOURS ALLOTTED FOR COMPLETING EXAMINATIONS, EXCEPT THREE HOURS FOR SPECIAL IDENTIFICATION-FUMIGATION CARD; 75% IS PASSING GRADE.

FEES

BUSINESS LICENSE	$ 25.00
IDENTIFICATION CARD	5.00
CHANGE OF ADDRESS	5.00
APPLICATION FOR EXAMINATION, EACH CATEGORY	25.00
INITIAL ISSUANCE	25.00
RENEWAL	25.00
EXAMINATION FEE - SPECIAL IDENTIFICATION-FUMIGATION CARD	10.00
INITIAL ISSUANCE	5.00
RENEWAL	5.00
EXAMINATION FEE - CERTIFIED PEST CONTROL OPERATOR INACTIVE IN PEST CONTROL OVER 5 YEARS, DESIRING TO "ACTIVATE" AND OBTAIN BUSINESS LICENSE	10.00

*ENACTED IN 1947

ISSUANCE — UPON SATISFACTORY COMPLETION OF EXAMINATION. LICENSES EXPIRE BY "ANNIVERSARY DATE."

RENEWAL — RENEWABLE ANNUALLY. "INACTIVE" LICENSEES REQUIRED TO PAY ANNUAL FEE (OR ALL PAST FEES DUE NOT EXCEEDING FIVE YEARS) TO "ACTIVATE" LICENSE. LICENSEE INACTIVE OVER FIVE YEARS REQUIRED TO BE EXAMINED FOR COMPETENCY.

NONRESIDENTS — NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	NO
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: — THE FIVE MEMBER PEST CONTROL COMMISSION OF FLORIDA (FORMERLY TITLED THE STRUCTURAL PEST CONTROL COMMISSION) WAS ABOLISHED AND THE TERM "DIVISION" (OF HEALTH) REPLACES THE FORMER TERM "STATE BOARD OF HEALTH."

DEFINITIONS:

(LAW)

1. AGRICULTURAL AREA
2. BOARD (ABOLISHED, NOW "DIVISION")
3. BUSINESS LOCATION
4. CATEGORY
5. CERTIFIED OPERATOR
6. COMMISSION (ABOLISHED)
7. FUMIGANT
8. FUMIGATION
9. GENERAL HOUSEHOLD PEST CONTROL
10. IDENTIFICATION CARD HOLDER
11. LAWN
12. LAWN AND ORNAMENTAL PEST CONTROL
13. LICENSE (BUSINESS LICENSE)
14. (TR.S) MEASURE
15. ORNAMENTAL
16. PEST CONTROL
17. PESTS
18. RODENT
19. RODENT CONTROL
20. SPECIAL IDENTIFICATION CARD HOLDER
21. STRUCTURAL PEST CONTROL
22. STRUCTURE
23. TERMITE AND OTHER WOOD-INFESTING ORGANISM CONTROL

(REGULATION)

1. APPLICATION OF FUMIGANT(S)
2. ARTHROPOD
3. COMPLETE SURFACE RESIDUAL SPRAY
4. FUMIGATION OPERATION
5. FUMIGATION PERIOD
6. GENERAL FUMIGATION
7. INFESTATION
8. PEST CONTROL CERTIFICATES
   (A) DESIGNATED ACTIVE
   (B) ACTIVE
   (C) INACTIVE
9. PESTICIDE
10. PREVENTIVE TREATMENTS
11. PROHIBITED USE PESTICIDE
12. RESIDENTIAL AREA
13. SPACE SPRAY
14. SPOT FUMIGATION
15. SPOT SURFACE RESIDUAL SPRAY
16. SPOT TREATMENT
17. WOOD INFESTING ORGANISM

FINANCIAL RESPONSIBILITY: NOT REQUIRED BY LAW OR REGULATIONS.

PENALTIES:

CIVIL: DISCIPLINARY MEASURE, PROBATION, AND REVOCATION OR SUSPENSION OF CERTIFICATES OR LICENSES PROVIDED FOR IN ACT.

CRIMINAL: VIOLATION OF ACT CONSTITUTES A MISDEMEANOR OF THE SECOND DEGREE. VIOLATION OF RULES (REGULATIONS) CONSTITUTES A MISDEMEANOR OF THE SECOND DEGREE. (SEE FS, § 775.082 - .083)

RELEVANT LAWS:

"FLORIDA PESTICIDE LAW" (REGISTRATION LAW)
(FLA. STAT. ANN., § 487.011 TO 487.14, SUPP. 1976)

"FLORIDA PESTICIDE APPLICATION ACT OF 1976"
(FLA. STAT. ANN., § 487.151 TO 487.160, SUPP. 1976)

"FLORIDA FOOD, DRUG, AND COSMETIC LAW"
(FLA. STAT. ANN., § 500.01 TO 500.47, 1976)

GEORGIA

TITLE:	"GEORGIA PESTICIDE USE AND APPLICATION ACT" (GA. CODE ANN., § 5-1501A TO 5-1523A, 1975)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES TO THE LANDS OF ANOTHER UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE.
EXEMPTIONS:	FARMERS, PUBLIC OPERATORS, AND STRUCTURAL PEST CONTROL OPERATORS (REGULATED UNDER THE STRUCTURAL PEST CONTROL ACT).
CERTIFICATION OR LICENSING:	
CATEGORIES	AGRICULTURAL PESTICIDE APPLICATORS GROUND - AERIAL - MANUAL ORNAMENTAL PESTICIDE APPLICATORS PEST CONTROL OPERATORS OTHER CATEGORIES AUTHORIZED
QUALIFICATIONS	MUST POSSESS "ADEQUATE KNOWLEDGE."
APPLICATION	TO BE MADE IN WRITING ON FORM PROVIDED BY THE COMMISSIONER.
EXAMINATION	MUST COVER CERTAIN SPECIFIC AREAS TO TEST APPLICANT'S ABILITIES AND WORKING KNOWLEDGE OF PESTICIDE APPLICATION.
FEES	PESTICIDE APPLICATORS LICENSE, EACH $ 15.00 PESTICIDE OPERATORS LICENSE, EACH 10.00
ISSUANCE	LICENSE GRANTED WHEN APPLICANT FOUND QUALIFIED.
RENEWAL	JANUARY 1 OF EACH YEAR. IF NOT RENEWED BY MARCH 1, COMMISSIONER MAY REQUIRE RE-EXAMINATION. NEW KNOWLEDGE MAY REQUIRE NEW EXAMINATION.
NONRESIDENTS	RECIPROCITY PROVIDED.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	NO

DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "IN THE ADMINISTRATION OF THIS ACT THE COMMISSIONER SHALL APPOINT A PESTICIDE ADVISORY BOARD FOR THE PURPOSE OF ADVISING HIM ON ALL MATTERS RELATING TO PESTICIDES, THEIR USE AND APPLICATION ... "

DEFINITIONS:

1. DEFOLIANT
2. DESICCANT
3. ENGAGE IN BUSINESS
4. EQUIPMENT
5. FUNGI
6. FUNGICIDE
7. HERBICIDE
8. INSECT
9. INSECTICIDE
10. LAND
11. NEMATOCIDE
12. NEMATODE
13. PERSON
14. PEST
15. PESTICIDE
16. PESTICIDE APPLICATOR
17. PESTICIDE OPERATOR
18. PLANT REGULATOR
19. PUBLIC OPERATORS
20. RESTRICTED USE PESTICIDE
21. RODENTICIDE
22. SNAILS OR SLUGS
23. WEED
24. WILDLIFE

FINANCIAL RESPONSIBILITY: SURETY BOND OR LIABILITY INSURANCE TO BE ESTABLISHED BY REGULATION, WITH A $1,000 DEDUCTIBLE FEATURE FOR AERIAL APPLICATORS, AND $100 DEDUCTIBLE FOR GROUND APPLICATORS.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT OR REGULATIONS ISSUED UNDER THE ACT CONSTITUTES A MISDEMEANOR.

RELEVANT LAWS: "GEORGIA ECONOMIC POISON ACT"
(GA. CODE ANN., § 5-1502 TO 5-1518, 1970)

"STRUCTURAL PEST CONTROL ACT"
(GA. CODE ANN., § 84-3401 TO 84-3423, 1970)

GEORGIA

TITLE:	"STRUCTURAL PEST CONTROL ACT" (GA. CODE ANN., § 84-3401 TO 84-3413, 1970)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF STRUCTURAL PEST CONTROL, CONTROL OF WOOD DESTROYING ORGANISMS OR FUMIGATION, UNLESS LICENSED BY THE STRUCTURAL PEST CONTROL COMMISSION.
EXEMPTIONS:	PERSONS DOING WORK ON THEIR OWN PROPERTY, BUT SUCH PERSONS SHALL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY; AGENCIES OF FEDERAL, STATE, COUNTY OR MUNICIPAL GOVERNMENTS IN PERFORMANCE OF OFFICIAL DUTIES.
CERTIFICATION OR LICENSING:	
CATEGORIES	1. FUMIGATION 2. HOUSEHOLD PEST CONTROL 3. WOOD DESTROYING ORGANISMS
QUALIFICATIONS	KNOWLEDGE OF PRACTICAL AND SCIENTIFIC FACTS REGARDING STRUCTURAL PEST CONTROL; TWO YEARS (ONE YEAR WITHIN LAST FIVE) EXPERIENCE UNDER QUALIFIED PERSON; OR ONE YEAR OR MORE OF TRAINING IN SPECIALIZED PEST CONTROL UNDER UNIVERSITY OR COLLEGE SUPERVISION MAY BE SUBSTITUTED FOR PRACTICAL EXPERIENCE (ONE YEAR OF TRAINING TO EQUAL ONE-FOURTH YEAR OF EXPERIENCE) OR, A DEGREE WITH MAJOR IN ENTOMOLOGY, SANITARY OR PUBLIC HEALTH ENGINEERING OR RELATED SUBJECTS, PLUS ONE YEAR EXPERIENCE.
APPLICATION	ON FORMS FURNISHED BY THE STATE EXAMINING BOARDS, 45 DAYS PRIOR TO EXAMINATION, ACCOMPANIED BY EXAMINATION FEE OF $10, PER CATEGORY.
EXAMINATION	ORAL AND WRITTEN, GIVEN NOT LESS THAN TWICE ANNUALLY. REGULATIONS PROVIDE FOR QUARTERLY EXAMINATIONS IN JANUARY, APRIL, JULY AND OCTOBER. GRADE OF 75% REQUIRED FOR PASSING. COMMISSION MAY REFUSE TO EXAMINE PERSONS CONVICTED OF A CRIME INVOLVING MORAL TURPITUDE.

FEES

EXAMINATION, PER CATEGORY	$ 10.00
RE-EXAMINATION	10.00
LICENSE (BUSINESS ENTITY)	25.00
LICENSE RENEWAL	25.00
DELINQUENT LICENSE RENEWAL (ADDITIONAL)	25.00
CERTIFICATION (CERTIFIED OPERATOR)	25.00
DUPLICATE LICENSE (FOR SUB-OFFICE)	5.00
CERTIFICATION RENEWAL	25.00
DELINQUENT CERTIFICATE RENEWAL (ADDITIONAL)	25.00
REGISTRATION OF EMPLOYEE	2.00
CHANGE, CANCELLATION, RENEWAL OR ISSUANCE OF DUPLICATE REGISTRATION	1.00

ISSUANCE	APPLICATION FOR CERTIFICATION MUST BE MADE WITHIN 90 DAYS AFTER PASSING EXAMINATION. LICENSES (BUSINESS ENTITIES) AND CERTIFICATES (CERTIFIED OPERATORS) EXPIRE JUNE 30.
RENEWAL	RENEWABLE ANNUALLY. LATE RENEWAL (WITHIN 90 DAYS AFTER JUNE 30) SUBJECT TO 100% OF PENALTY FEE, AFTER THIS PERIOD, RE-EXAMINATION REQUIRED.

NONRESIDENTS: RECIPROCITY PROVIDED. NONRESIDENTS MUST DESIGNATE A RESIDENT AGENT TO ACCEPT SERVICE OF LEGAL PROCESSES, IF NONE, THEN THE SECRETARY OF STATE IS AGENT.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: STRUCTURAL PEST CONTROL COMMISSION. " ... THERE IS HEREBY CREATED A STRUCTURAL PEST CONTROL COMMISSION TO CONSIST OF SIX (6) MEMBERS, THREE (3) OF WHOM SHALL BE RESIDENTS ... AND ... CERTIFIED OPERATORS ... APPOINTED BY THE COMMISSIONER (OF AGRICULTURE). ONE (1) MEMBER SHALL BE HEAD OF THE DEPARTMENT OF ENTOMOLOGY OF THE UNIVERSITY OF GEORGIA (OR DESIGNEE) ... ONE (1) MEMBER ... THE DIRECTOR OF THE DIVISION OF ENTOMOLOGY OF THE DEPARTMENT OF AGRICULTURE ... AND ... THE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH (OR DESIGNEE). EACH MEMBER ... SHALL RECEIVE $20 PER DIEM (PLUS TRAVEL AND NECESSARY EXPENSES) ... IN PERFORMANCE OF HIS DUTIES." "THE JOINT SECRETARY OF THE STATE EXAMINING BOARD SHALL BE SECRETARY TO THIS COMMISSION."

DEFINITIONS:

(LAW)

1. APPLICANT
2. BOND
3. BRANCH OFFICE
4. CERTIFIED OPERATOR
5. COMMISSION
6. COMMISSIONER (OF AGRICULTURE)
7. EMPLOYEE
8. FUMIGANTS
9. INSECTICIDES
10. LICENSEE
11. REGISTERED EMPLOYEE
12. REPELLENTS
13. RODENTICIDES
14. STRUCTURAL PEST CONTROL

(REGULATION)

1. ACT
2. APPLICANT
3. BOND
4. BUILDING STRUCTURE
5. CERTIFIED OPERATOR
6. CHEMICALS
7. COMMISSION
8. COMMISSIONER
9. DESIGNATED CERTIFIED OPERATOR
10. EMPLOYEES
11. ENFORCEMENT AGENCY
12. EXPERIENCE RELATING TO SERVICE
13. FUMIGANTS
14. FUMIGATION
15. FUMIGATION OPERATOR
16. HOUSEHOLD PEST CONTROL
17. INSECTICIDE
18. LICENSEE (BUSINESS ENTITY)
19. MINIMUM ADEQUATE TREATMENT
20. OFFICE
21. OPERATOR IN CHARGE
22. REGISTERED EMPLOYEES
23. REPELLENTS
24. RODENTICIDES
25. SECRETARY
26. SODIUM FLUORACETATE
27. SPOT FUMIGATION
28. STRUCTURAL PEST CONTROL
29. STRUCTURE
30. STRUCTURE OR ENCLOSED SPACE
31. SUB-OFFICE
32. TELEPHONE ANSWERING SERVICE
33. THALLIUM SULFATE
34. UNAUTHORIZED PERSONNEL
35. WOOD DESTROYING ORGANISMS CONTROL

FINANCIAL RESPONSIBILITY:

NONE REQUIRED BY LAW. IF LICENSEE REPRESENTS BEING BONDED, THEN HE MUST IN FACT CARRY PERFORMANCE BOND (GUARANTEE THE FULFILLMENT OF THE AGREEMENT) FOR EACH JOB OR MASTER BOND IN THE AMOUNT OF 5% OF PREVIOUS YEAR GROSS BUSINESS, NOT EXCEEDING $100,000.

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF ACT CONSTITUTES A MISDEMEANOR SUBJECT TO PUNISHMENT AS PROVIDED BY GEORGIA CODE. VIOLATION ALSO CONSTITUTES A PUBLIC NUISANCE SUBJECT TO ABATEMENT BY INJUNCTION.

RELEVANT LAWS:

"GEORGIA PESTICIDE USE AND APPLICATION ACT"
(GA. CODE ANN., § 5-1501A TO 5-1523A, SUPP. 1975)

"GEORGIA ECONOMIC POISON ACT"
(GA. CODE ANN., § 5-1501 TO 5-1516, 1970)

HAWAII

TITLE: PEST CONTROL OPERATORS (STRUCTURAL)*
(HAWAII REV. LAWS, § 460J-1 TO 460J-27, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF PEST CONTROL OR FUMIGATION UNLESS LICENSED BY THE PEST CONTROL BOARD.

EXEMPTIONS: FEDERAL PERSONNEL ON MILITARY RESERVATIONS; PERSONNEL OF STATE AND FEDERAL DEPARTMENTS OF AGRICULTURE; DEPARTMENT OF LAND AND NATURAL RESOURCES, AND THE UNITED STATES PUBLIC HEALTH SERVICE; QUALIFIED SCIENTIFIC PERSONNEL EXEMPTED BY THE BOARD; AND PERSONS ENGAGED IN AGRICULTURAL PEST CONTROL.

CERTIFICATION OR LICENSING:

CATEGORIES: BRANCH 1 - FUMIGATION
BRANCH 2 - GENERAL PEST
BRANCH 3 - TERMITE

QUALIFICATIONS: EIGHTEEN YEARS OF AGE OR OVER, GOOD REPUTATION, TRUTHFULNESS, FINANCIAL INTEGRITY, AND FAIR DEALING.

APPLICATION: ON FORMS PROVIDED BY BOARD, UNDER OATH, ACCOMPANIED BY SWORN AFFIDAVIT FROM TWO INDIVIDUALS CERTIFYING GOOD CHARACTER, AND AN APPLICATION FEE OF $25.

EXAMINATION: WRITTEN, IN BOOKS SUPPLIED BY THE BOARD AND KEPT FOR ONE YEAR. PASSING GRADE 70%.

FEES:

APPLICATION (EACH BRANCH)	$ 25.00
LICENSE	25.00
COMBINATION OF TWO OR MORE BRANCHES	25.00
RENEWAL	25.00
DELINQUENT RENEWAL (ADDITIONAL)	10%

ISSUANCE: UPON ACHIEVING PASSING GRADE.

RENEWAL: RENEWABLE ANNUALLY, BEFORE JUNE 30. DELINQUENT FEE BEYOND ONE YEAR FORFEITS LICENSE.

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES

*PRIOR TO THE ENACTMENT OF THIS LAW IN 1972, TERMITE AND GENERAL PEST CONTROL OPERATORS WERE LICENSED BY THE CONTRACTORS LICENSE BOARD. FUMIGATORS WERE LICENSED BY THE DEPARTMENT OF HEALTH. THEY ARE NOW ALL UNDER THE JURISDICTION OF THE PEST CONTROL BOARD. UNDER PREVIOUS LAW, OPERATORS DOING LESS THAN $100 OF WORK WERE EXEMPTED, BUT THIS EXEMPTION NO LONGER EXISTS.

INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

THE ACT PROVIDES (BROAD) AUTHORITY TO THE BOARD TO " ... MAKE, AMEND, OR REPEAL ... REGULATIONS ... IT MAY DEEM NECESSARY TO EFFECTUATE THIS CHAPTER AND CARRY OUT THE PURPOSE ... AND FORBID ACTS OR PRACTICES ... DETRIMENTAL ... "

PESTICIDE BOARD:

"THERE SHALL BE A PEST CONTROL BOARD OF SEVEN MEMBERS. FOUR MEMBERS ... APPOINTED BY THE GOVERNOR ... (HAVING) NOT LESS THAN FIVE YEARS (EXPERIENCE AS LICENSED OPERATORS, PRECEDING APPOINTMENT) ... (AND) THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE (OR DESIGNEE), THE DIRECTOR OF THE DEPARTMENT OF HEALTH (OR DESIGNEE), AND THE CHAIRMAN OF THE DEPARTMENT OF ENTOMOLOGY OF THE COLLEGE OF TROPICAL AGRICULTURE OF THE UNIVERSITY OF HAWAII (OR DESIGNEE)."

"NO MEMBER OF THE BOARD SHALL RECEIVE COMPENSATION ... BUT EACH SHALL BE REIMBURSED FOR (EXPENSES) ... "

"THE BOARD IS PLACED WITHIN THE DEPARTMENT OF REGULATORY AGENCIES (PROFESSIONAL AND VOCATIONAL LICENSING DIVISION) FOR ADMINISTRATIVE PURPOSES."

"THE DEPARTMENT SHALL EMPLOY AN (FULL TIME) EXECUTIVE SECRETARY OF THE BOARD."

DEFINITIONS:

(LAW)

1. BOARD
2. DIRECTOR
3. FUMIGATION
4. FUMIGATOR
5. HOUSEHOLD PESTS
6. PEST CONTROL
7. PEST CONTROL OPERATOR

FINANCIAL RESPONSIBILITY:	GENERAL LIABILITY INSURANCE (NOT LESS THAN)	
	ANY ONE CLAIM	$ 20,000.00
	AGGREGATE CLAIMS IN ONE YEAR	50,000.00
	OR,	
	PROOF OF FINANCIAL RESPONSIBILITY EQUIVALENT TO LIABILITY INSURANCE.	
	NO REQUIREMENT FOR VAULT FUMIGATION.	

PENALTIES:

CIVIL — NONE.

CRIMINAL — VIOLATION OF ACT SUBJECT TO A FINE OF NOT LESS THAN $500 OR IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR BOTH FINE AND IMPRISONMENT. STATUTE OF LIMITATIONS -- TWO YEARS.

RELEVANT LAWS: "HAWAII PESTICIDES LAW"
(HAWAII REV. LAWS, § 149A-1 TO 149A-33, SUPP. 1976)

HAWAII

TITLE: "HAWAII PESTICIDES LAW"*
(HAWAII REV. LAWS, § 149A-1 TO 149A-53, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO:

"(1) APPLY ANY PESTICIDE IN EXCESS OF DOSAGE OR INCONSISTENT WITH ... ITS LABEL ....

"(2) APPLY ANY PESTICIDE ON ANY AGRICULTURAL CROP, LIVESTOCK, OR RESIDENTIAL, RECREATIONAL, WATERSHED, OR ANY OTHER AREA THAT IS PROHIBITED OR NOT SPECIFIED FOR SUCH USE ON ITS LABEL ....

"(3) USE, STORE, TRANSPORT, OR DISCARD ANY PESTICIDE OR THE CONTAINERS ... IN ANY MANNER WHICH WOULD HAVE SUBSTANTIAL ADVERSE EFFECT ON THE ENVIRONMENT;

"(4) USE OR APPLY RESTRICTED PESTICIDES UNLESS ... (BY) A CERTIFIED PESTICIDE APPLICATOR ... OR

"(5) USE OR APPLY PESTICIDES IN ANY MANNER THAT HAS BEEN BANNED ....

"(6) APPLY RESTRICTED USE PESTICIDES BY AIRCRAFT WITHOUT A SPECIAL PERMIT"

EXEMPTIONS: " ... MAY BE GRANTED BY THE CHAIRMAN TO THE UNIVERSITY OF HAWAII AND OTHER STATE AND FEDERAL AGENCIES FOR (CERTAIN) EXPERIMENTAL OR RESEARCH WORK ... AND EXPERIMENTAL WORK CONDUCTED BY PRIVATE AGENCIES WITH ADEQUATE RESEARCH FACILITIES ... MUST BE IN WRITING STATING THE SPECIFIC EXEMPTIONS AND CONDITIONS."

CERTIFICATION OR LICENSING:

CATEGORIES

1. AGRICULTURAL PEST CONTROL ANIMALS
2. AGRICULTURAL PEST CONTROL PLANTS
3. AQUATIC PEST CONTROL
4. DEMONSTRATION PEST CONTROL
5. FOREST PEST CONTROL SEED TREATMENT
6. INDUSTRIAL, INSTITUTIONAL, STRUCTURAL AND PUBLIC HEALTH RELATED PEST CONTROL
7. ORNAMENTAL AND TURF PEST CONTROL
8. PUBLIC HEALTH PEST CONTROL
9. REGULATORY PEST CONTROL
10. RIGHT-OF-WAY PEST CONTROL

QUALIFICATIONS "THE DEPARTMENT SHALL HAVE THE AUTHORITY TO ... EFFECTUATE THE PURPOSE OF THIS PART BY RULES AND REGULATIONS, INCLUDING ... PROCEDURES, CONDITIONS, AND STANDARDS TO CERTIFY (APPLICATORS) ...."

APPLICATION ON FORMS PROVIDED BY THE DIVISION OF PLANT INDUSTRY.

EXAMINATION WRITTEN AND DEMONSTRATION. PRIVATE APPLICATORS MAY COMPLETE APPROVED TRAINING COURSE.

FEES NONE.

ISSUANCE

RENEWAL CERTIFICATION REMAINS VALID FOR THREE YEARS.

NONRESIDENTS NO PROVISION FOR RECIPROCITY.

*PORTIONS OF THIS LAW RELATING TO THE REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "THERE SHALL BE AN ADVISORY COMMITTEE ON PESTICIDES COMPOSED OF BUT NOT LIMITED TO THE CHAIRMAN, OR HIS DESIGNATED REPRESENTATIVE, WHO SHALL HEAD THE COMMITTEE AND ONE REPRESENTATIVE EACH FROM THE DEPARTMENT OF HEALTH, DEPARTMENT OF LAND AND NATURAL RESOURCES, UNIVERSITY OF HAWAII AGRICULTURAL EXPERIMENT STATION, UNIVERSITY OF HAWAII COOPERATIVE EXTENSION SERVICE, STATE ENVIRONMENTAL ORGANIZATION, SUGAR INDUSTRY, PINEAPPLE INDUSTRY, LIVESTOCK INDUSTRY, HAWAII FARM BUREAU FEDERATION, DIVERSIFIED CROP INDUSTRY, PESTICIDE INDUSTRY, STRUCTURAL PEST CONTROL INDUSTRY AND THREE AT-LARGE MEMBERS ... APPOINTED BY THE GOVERNOR FROM A LIST OF PERSONS RECOMMENDED BY THE RESPECTIVE AGENCIES AND INDUSTRIES. THE COMMITTEE SHALL ADVISE AND ASSIST THE DEPARTMENT IN DEVELOPING OR REVISING LAWS AND REGULATIONS TO CARRY OUT AND EFFECTUATE THE PURPOSES OF THIS CHAPTER AND IN ADVISING THE DEPARTMENT IN PESTICIDE PROBLEMS."

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADULTERATED
3. ANIMAL
4. BOARD
5. CERTIFIED PESTICIDE APPLICATOR
6. CHAIRMAN
7. COMMERCIAL PESTICIDE APPLICATOR
8. DEFOLIANT
9. DEPARTMENT
10. DESICCANT
11. DEVICE
12. ENVIRONMENT
13. FUNGI
14. GENERAL USE PESTICIDES
15. IMMINENT HAZARD
16. INERT INGREDIENT
17. INGREDIENT STATEMENT
18. INSECT
19. LABEL
20. LABELING
21. LICENSE
22. LICENSEE
23. MISBRANDED
24. NEMATODE
25. PERSON
26. PEST
27. PESTICIDE
28. PLANT REGULATOR
29. PRIVATE PESTICIDE APPLICATOR
30. PRODUCER (PRODUCE)
31. PROTECT HEALTH AND THE ENVIRONMENT
32. RESTRICTED PESTICIDE
33. REGISTRANT
34. SELL OR DISTRIBUTE
35. UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR
36. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
37. WEED

FINANCIAL RESPONSIBILITY: NOT SPECIFIED IN ACT.

PENALTIES:

CIVIL: NONE.

CRIMINAL: "(A) ANY PERSON WHO VIOLATES THIS CHAPTER OR ANY ... REGULATION MAY UPON THE FIRST VIOLATION BE ISSUED A WRITTEN WARNING NOTICE CITING THE SPECIFIC VIOLATION AND NECESSARY CORRECTIVE ACTION.

"(B) (VIOLATION) ... AFTER RECEIPT OF A NOTICE ... SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000."

RELEVANT LAWS:

FOOD, DRUG DEVICES, AND COSMETICS
(HAWAII REV. LAWS, § 328-1 TO 328-69, 1955)

INCLUDES "TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES."

OFFICE OF ENVIRONMENTAL QUALITY CONTROL
(HAWAII REV. LAWS, § 341-1 TO 341-6, SUPP. 1972)

FUMIGATION
(HAWAII REV. LAWS, § 430-1 TO 430-12, 1955)

HEALTH LAWS
(HAWAII REV. LAWS, CH. 321, 322, 330, 1955)

PEST CONTROL OPERATORS (STRUCTURAL)
(HAWAII REV. LAWS, § 460J-1 TO 460J-27, SUPP. 1974)

IDAHO

TITLE: "PESTICIDE USE AND APPLICATION LAW"
(IDAHO CODE, § 22-2208 TO 22-2223, SUPP. 1973)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE CUSTOM APPLICATION OF PESTICIDES UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE.

EXEMPTIONS: FARMERS, GOVERNMENT RESEARCH PERSONNEL APPLYING PESTICIDES TO EXPERIMENTAL PLOTS, AND PERSONS USING PESTICIDES ON LAWNS AND ORNAMENTAL PLANTS INCIDENTAL TO PLANT CARE. HOWEVER THE COMMISSIONER MAY REQUIRE PERMITS FOR EACH APPLICATION OF A RESTRICTED USE PESTICIDE.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AERIAL APPLICATORS
2. AGRICULTURAL PESTICIDE APPLICATORS
3. GROUND APPLICATORS
4. HERBICIDES
5. INSECTICIDES, FUNGICIDES, AND NEMATOCIDES
6. ORNAMENTAL PESTICIDE APPLICATORS
7. PEST CONTROL OPERATORS
8. RIGHT-OF-WAY PESTICIDE APPLICATORS
9. STRUCTURAL AND URBAN PEST CONTROL

QUALIFICATIONS: COMMISSIONER MUST FIND APPLICANT QUALIFIED. MINIMUM AGE - 18.

APPLICATION: MUST CONTAIN CERTAIN REQUIRED INFORMATION.

EXAMINATION: KIND NOT SPECIFIED IN ACT; WRITTEN EXAMINATION REQUIRED BY REGULATIONS. COMMISSIONER MAY REQUIRE ANY LICENSEE TO BE RETESTED.

FEES

COMMERCIAL APPLICATOR	$ 10.00
PESTICIDE OPERATOR	NO FEE
PUBLIC OPERATORS	NO FEE
REEXAMINATION	5.00
GROUND OR AERIAL APPARUTUS (EACH UNIT)	10.00

ISSUANCE: LICENSES EXPIRE DECEMBER 31 EACH YEAR, RENEWABLE ANNUALLY. LICENSES MAY RESTRICT APPLICANT TO THE USE OF CERTAIN TYPE OR TYPES OF EQUIPMENT, APPARATUS, OR MATERIALS AND MAY BE REVOKED OR MODIFIED.

RENEWAL: APPLICATION FOR RENEWAL AFTER JANUARY 1 MUST BE ACCOMPANIED BY AFFIDAVIT THAT NO WORK WAS PERFORMED WHILE UNLICENSED.

NONRESIDENTS: PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. AIRCRAFT
2. APPARATUS
3. COMMISSIONER
4. CUSTOM APPLICATION OF PESTICIDES
5. DEFOLIANT
6. DESICCANT
7. FUNGI
8. FUNGICIDE
9. GROUND EQUIPMENT
10. HERBICIDE
11. INSECT
12. INSECTICIDE
13. PERSON
14. PEST
15. PESTICIDE
16. PESTICIDE APPLICATOR
17. PESTICIDE DEALER (SEE "PESTICIDE LAW")
18. PESTICIDE OPERATOR
19. PLANT REGULATOR
20. PUBLIC HEARING
21. RESTRICTED USE PESTICIDE
22. WEED

FINANCIAL RESPONSIBILITY: COMMISSIONER SHALL REQUIRE A REASONABLE BOND OR INSURANCE POLICY OF EACH APPLICATOR. REGULATIONS REQUIRE MINIMUM $20,000 PERSONAL INJURY AND $40,000 PROPERTY DAMAGE FOR AERIAL APPLICATORS AND $5,000/5,000 FOR GROUND APPLICATORS. CASH DEPOSIT IN ESCROW MAY BE ACCEPTED IN LIEU OF BOND OR INSURANCE.

PENALTIES:

CIVIL: ANY PERSON OPERATING AS A COMMERCIAL PESTICIDE APPLICATOR OR OPERATOR WITHOUT A LICENSE SHALL FORFEIT TO THE STATE FOR EACH DAY OF SUCH UNLICENSED OPERATION FIFTY DOLLARS ($50) AS A CIVIL PENALTY.

CRIMINAL: VIOLATION OF THE ACT OR ANY REGULATION SHALL UPON THE FIRST CONVICTION CONSTITUTE A PETTY MISDEMEANOR AND UPON ANY SUBSEQUENT CONVICTION CONSTITUTE A MISDEMEANOR. THE COMMISSIONER IS NOT REQUIRED TO REPORT FOR PROSECUTION MINOR VIOLATIONS WHEN HE BELIEVES THAT THE PUBLIC INTERESTS WILL BE BEST SERVED BY SUITABLE WARNING OR OTHER ADMINISTRATIVE ACTION.

RELEVANT LAWS:

"PESTICIDE LAW" (REGISTRATION LAW)
(IDAHO CODE, § 22-3401 TO 22-3418, SUPP. 1973)
(FORMERLY KNOWN AS THE "ECONOMIC POISON ACT OF 1963")

"IDAHO FOOD, DRUG, AND COSMETIC ACT" (1939)
(IDAHO CODE, § 37-113 TO 37-134, 1968)

PROCEDURES FOR ESTABLISHING RESTRICTED AREA
(IDAHO CODE, 22-2223)
SEE 22-2021 "AGRICULTURAL PEST CONTROL DISTRICTS"

PROPOSAL: THE COMMISSIONER, UPON HIS OWN INITIATIVE OR UPON PETITION OF A NUMBER OF OWNERS, MAY ISSUE A PROPOSAL FOR THE ESTABLISHMENT OF A DESIGNATED RESTRICTED AREA. A NOTICE AND HEARING SHALL THEN BE HELD, AFTER WHICH THE COMMISSIONER SHALL DECIDE WHETHER OR NOT TO ESTABLISH A RESTRICTED AREA.

REFERENDUM: THE COMMISSIONER SHALL CONDUCT A REFERENDUM ON THE MATTER IF PETITIONED BY 25 LANDOWNERS OR IF HE IS UNABLE TO DETERMINE THE NEED FOR A RESTRICTED AREA AFTER PUBLIC HEARINGS.

ESTABLISHMENT: A FAVORABLE DECISION OF THE COMMISSIONER AFTER PUBLIC HEARINGS OR A 2/3 AFFIRMATIVE VOTE OF PERSONS IN THE PROPOSED AREA SHALL CONSTITUTE AUTHORITY TO ESTABLISH THE AREA AND TO ISSUE REGULATIONS.

REGULATIONS: THE COMMISSIONER MAY PRESCRIBE THE TIME AND CONDITIONS UNDER WHICH PESTICIDES MAY BE USED IN RESTRICTED AREAS AND MAY RESTRICT, PROHIBIT, OR REQUIRE SPECIAL PERMIT TO USE PESTICIDES.

ILLINOIS

TITLE:	CUSTOM APPLICATION OF PESTICIDES (ILL. ANN. STAT., CH. 5, § 87(D)(1) TO 87(D)(17), SUPP. 1975-1976)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN CUSTOM APPLICATION OF PESTICIDES UNLESS LICENSED BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE.
EXEMPTIONS:	STRUCTURAL PEST CONTROL OPERATORS, FUMIGATORS, GOVERNMENTAL BODIES, TREE EXPERTS, FARMERS, CANNING ESTABLISHMENTS, VETERINARIANS IN PRACTICE, FARMER OR GROWER APPLYING PESTICIDES TO NOT MORE THAN TWO NEIGHBORS' LAND EACH YEAR AND GENERAL PEST CONTROL OPERATORS (NUISANCE PESTS OR DISEASE VECTORS).
CERTIFICATION OR LICENSING:	
CATEGORIES	1. PESTICIDE APPLICATOR 2. PESTICIDE OPERATOR 3. PUBLIC APPLICATOR 4. PUBLIC OPERATOR
QUALIFICATIONS	MUST POSSESS "ADEQUATE KNOWLEDGE" CONCERNING PROPER USE AND APPLICATION OF PESTICIDES.
APPLICATION	MUST CONTAIN INFORMATION REGARDING APPLICANTS' QUALIFICATIONS AND PROPOSED OPERATIONS AND OTHER INFORMATION DEEMED NECESSARY BY THE DIRECTOR.
EXAMINATION	APPLICANT REQUIRED TO "PASS THE EXAMINATION."
FEES	PESTICIDE APPLICATOR $ 10.00 PESTICIDE OPERATOR 10.00
ISSUANCE	IF FOUND QUALIFIED, APPLICANT SHALL BE ISSUED LICENSE VALID FOR ONE YEAR FROM DATE OF ISSUE. DIRECTOR MAY RESTRICT LICENSES TO THE USE OF CERTAIN TYPES OF MATERIAL OR EQUIPMENT. DIRECTOR MAY REVOKE LICENSE FOR LISTED STATUTORY REASONS, BUT MUST PROVIDE ADMINISTRATIVE HEARINGS AND APPEAL PROCEDURES.
RENEWAL	RENEWABLE WITHOUT EXAMINATION IF FEE PAID AND VALID BOND IN EFFECT.
NONRESIDENTS	PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO

PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD:

INTERAGENCY COMMITTEE ON PESTICIDES
(ILL. ANN. STAT., CH. 5, § 271 TO 276, 1966)

"AN ACT TO CREATE AN INTERAGENCY COMMITTEE ON PESTICIDES TO STUDY, ADVISE AND RECOMMEND ANY NEEDED LEGISLATION CONCERNING PESTICIDES; AND TO APPROVE ALL PROPOSED RULES AND REGULATIONS PERTAINING TO THE LABELING, SALE, USE OR APPLICATION OF PESTICIDES." THE ACT CREATES A 7-MAN COMMITTEE REPRESENTING DEPARTMENTS OF AGRICULTURE, CONSERVATION, PUBLIC HEALTH, PUBLIC WORKS AND BUILDINGS, NATURAL HISTORY SURVEY, COLLEGE OF AGRICULTURE, AND ILLINOIS ENVIRONMENTAL PROTECTION AGENCY WHOSE DUTIES ARE TO: (1) REVIEW THE SALE AND USE OF PESTICIDES, (2) REVIEW GOVERNMENTAL SPONSORED OR DIRECTED PESTICIDE PROGRAMS, (3) CONSIDER HAZARDS OF PESTICIDE USE, (4) RECOMMEND PESTICIDE LEGISLATION, (5) OBTAIN THE VIEWS OF INTERESTED PARTIES, (6) ADVISE AND APPROVE ALL PROGRAMS (EXCEPT RESEARCH) INVOLVING PESTICIDES ON STATE PROPERTY, AND (7) MEET QUARTERLY OR AT THE CALL OF THE CHAIRMAN OR ANY MEMBER AND REPORT ANNUALLY TO THE GOVERNOR. "ALL PROPOSED RULES AND REGULATIONS PERTAINING TO THE REGULATION OR PROHIBITION OF THE SALE, USE OR APPLICATION OF PESTICIDES AND LABELING OF PESTICIDES SHALL BE SUBMITTED TO AND APPROVED BY THE COMMITTEE BEFORE THEY ARE PROMULGATED AND MADE EFFECTIVE." THE LAW ESTABLISHING THIS COMMITTEE WAS AMENDED IN 1973 TO GRANT ADDITIONAL AUTHORITIES, PARTICULARLY IN AREAS RELATING TO COOPERATIVE AGREEMENTS WITH OTHER GOVERNMENTAL AGENCIES.

DEFINITIONS:

1. AIRCRAFT
2. CUSTOM APPLICATION OF PESTICIDES
3. DIRECTOR
4. FUNGICIDE
5. FUNGUS
6. GROUND EQUIPMENT
7. HERBICIDE
8. INSECT
9. INSECTICIDE
10. NEMATOCIDE
11. NEMATODE
12. PERSON
13. PESTICIDE APPLICATOR
14. PESTICIDE OPERATOR
15. PESTICIDES
16. PUBLIC APPLICATION OF PESTICIDES
17. PUBLIC APPLICATOR
18. PUBLIC OPERATOR
19. STRUCTURE
20. WEED

FINANCIAL RESPONSIBILITY: "REASONABLE PERFORMANCE BOND" REQUIRED, OR A DEPOSIT OF CASH OR COLLATERAL IN LIEU OF BOND.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT IS A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $200 FOR THE FIRST OFFENSE, AND NOT MORE THAN $400 FOR EACH SUBSEQUENT OFFENSE.

RELEVANT LAWS:

USE AND APPLICATION OF 2,4-D AND RELATED HERBICIDES
(ILL. ANN. STAT., CH. 5, § 87(A)(1) TO 87(A)(8), 1966)

PROVIDES THAT COUNTY BOARDS, OR 10 OR MORE COMMERCIAL FRUIT OR VEGETABLE PRODUCERS, MAY PETITION THE DIRECTOR OF AGRICULTURE, WHO MAY, UPON THE FINDING OF CERTAIN FACTS, RESTRICT OR PROHIBIT THE USE OF HORMONE-TYPE HERBICIDES IN THE AREA SET OUT IN THE PETITION.

"ECONOMIC POISON LAW" (REGISTRATION LAW)
(ILL. ANN. STAT., CH. 5 § 87(C)(1) TO 87(C)(13), SUPP. 1975-1976)

REQUIRES THE REGISTRATION AND LABELING OF ECONOMIC POISONS.

"PESTICIDES CONTROL LAW"
(ILL. ANN. STAT., CH. 5, § 256 TO 267, 1969)

THIS ACT AUTHORIZES THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE OR THE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH TO ISSUE REGULATIONS RELATING TO LABELING, SALE, USE OR APPLICATION OF PESTICIDES, AND WHEN APPROVED BY THE INTERAGENCY COMMITTEE ON PESTICIDES, TO RESTRICT OR PROHIBIT THE USE AND APPLICATION OF A PESTICIDE. THE PROVISIONS OF THIS LAW APPLY (ALSO) TO CUSTOM SPRAY APPLICATORS AND PEST CONTROL OPERATORS.

"ILLINOIS FOOD, DRUG AND COSMETIC ACT"
(ILL. ANN. STAT., CH. 56 1/2, § 501 TO 526, 1967)

SEE SEC. 513 FOR "TOLERANCES."

TREE EXPERTS
(ILL. ANN. STAT., CH. 5, § 163 TO 187, 1966)

THE ACT REQUIRES EXAMINATION, LICENSING AND REGULATION OF PERSONS WHO DIAGNOSE, RECOMMEND TREATMENT, OR PROVIDE CARE FOR ORNAMENTAL OR SHADE TREES.

"PEST CONTROL COMPACT"
(ILL. ANN. STAT., CH. 5, § 281 TO 288, 1966)

AN ACT TO PROVIDE FINANCIAL ASSISTANCE FOR TIMELY AND COORDINATED EFFORT OF NEIGHBORHOOD STATES IN CONDUCTING EFFECTIVE PEST CONTROL ACTIVITIES WHEN THE STATE IS THREATENED BY PEST OUTBREAKS (FROM WITHIN OR WITHOUT) OF MORE THAN LOCAL CONCERN. PROVIDES FOR AN "INSURANCE FUND" WITH CONTRIBUTIONS FROM MEMBERS OF THE COMPACT, FROM WHICH FUNDS CAN BE WITHDRAWN FOR FINANCIAL SUPPORT OF PEST CONTROL OR ERADICATION ACTIVITIES. PROVIDES FOR A GOVERNING BODY AND A FORMULA BY STATES FOR CONTRIBUTION TO THE INSURANCE FUND. LAW BECOMES OPERATIVE WHEN ENACTED BY 5 OR MORE STATES.

"THE INSECT PEST AND PLANT DISEASE ACT"
(ILL. ANN. STAT., CH. 5, § 61 TO 67A.02, 1966)

PRIMARILY A NURSERY INSPECTION AND PEST QUARANTINE ACT. AMENDMENTS OF 1969 AUTHORIZE THE DEPARTMENT OF AGRICULTURE TO PROHIBIT IN QUARANTINED AREAS FARM PRACTICES FAVORABLE TO THE DEVELOPMENT OF PESTS, AND TO REQUIRE CERTAIN CROP DISPOSAL PRACTICES OR CROP TREATMENTS TO CONTROL OR ERADICATE PESTS.

"UNIFORM HAZARDOUS SUBSTANCES ACT OF ILLINOIS"
(ILL. ANN. STAT., CH. 111 1/2, § 251 TO 266(A), 1959)

RELATES TO "HOUSEHOLD TYPE" CHEMICALS AND EXEMPTS ECONOMIC POISONS REGISTERED UNDER THE USDA FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT. (HISTORICAL NOTE - AN ACT TO REGULATE THE SALE OF PARIS GREEN WAS APPROVED APRIL 22, 1907, AND REPEALED IN 1967.)

"ENVIRONMENTAL PROTECTION ACT"
(ILL. ANN. STAT., CH. 111 1/2, § 1001 TO 1051, 1966)

ILLINOIS

TITLE: "STRUCTURAL PEST CONTROL ACT"
SESSION LAWS 1975, P. 717; PUBLIC ACT 79-578

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF STRUCTURAL PEST CONTROL UNLESS LICENSED BY THE DEPARTMENT OF HEALTH, OR TO OPERATE A BUSINESS WITHOUT A CERTIFIED TECHNICIAN EMPLOYED AS A SUPERVISOR.

EXEMPTIONS: OWNERS ON THEIR OWN PROPERTY (BUT NOT FUMIGATION), GREENHOUSES, NURSERIES, FIELD CROPS, TREE WORK, ORCHARDS, AND WOOD PRESERVATIVE TREATMENT. OWNERS OF AGRICULTURAL CROPS IN STORAGE OR TRANSIT, INCLUDING FUMIGATION. TELEPHONE ANSWERING SERVICE IS NOT A "BUSINESS LOCATION."

CERTIFICATION OR LICENSING:

CATEGORIES: CERTIFIED TECHN.CIAN.

QUALIFICATIONS: TWENTY-ONE YEARS OF AGE; ONE YEAR OF EXPERIENCE UNDER A CERTIFIED TECHNICIAN, OR COLLEGE DEGREE WITH 12 SEMESTER HOURS IN ENTOMOLOGY OR RELATED FIELDS, AND 6 MONTHS EXPERIENCE, OR SUCCESSFUL COMPLETION OF PURDUE UNIVERSITY PEST CONTROL CORRESPONDENCE COURSE AND 6 MONTHS EXPERIENCE.

APPLICATION: ON FORMS PROVIDED BY THE DEPARTMENT.

EXAMINATION: WRITTEN, GIVEN FOUR TIMES EACH YEAR. MAY INCLUDE PRACTICAL DEMONSTRATION.

FEES:

APPLICATION FOR EXAMINATION	$ 25.00
ORIGINAL LICENSE AND EACH RENEWAL	50.00
ORIGINAL CERTIFICATE AND EACH RENEWAL	25.00
RE'LACEMENT LICENSE (CHANGE OF LOCATION)	5.00
STATE OR STATE AGENCY	NONE
(FEES NOT REFUNDABLE)	

ISSUANCE: UPON BEING FOUND QUALIFIED. LICENSES VALID FOR ONE YEAR. CERTIFICATES VALID FOR THREE YEARS.

RENEWAL: MUST BE RENEWED PRIOR TO JANUARY 1 OF APPROPRIATE YEAR.

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	NO	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	NO
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT OAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: YES (STRUCTURAL PEST CONTROL ADVISORY COUNCIL).

"THE DIRECTOR SHALL APPOINT A STRUCTURAL PEST CONTROL ADVISORY COUNCIL CONSISTING OF FIVE MEMBERS TO CONSULT WITH AND ADVISE THE DEPARTMENT. ONE MEMBER SHALL BE ENGAGED IN TEACHING OR RESEARCH IN ENTOMOLOGY, BIOLOGY OR ZOOLOGY RELATED TO STRUCTURAL PEST CONTROL, ONE MEMBER SHALL BE EMPLOYED IN A LOCAL HEALTH DEPARTMENT, AND THREE MEMBERS WHO ARE ENGAGED IN STRUCTURAL PEST CONTROL AND WHO ARE CERTIFIED TECHNICIANS UNDER THIS ACT. ALL MEMBERS SHALL BE RESIDENTS OF THE STATE. THE TERM OF OFFICE ... SHALL BE FOR THREE YEARS (EXCEPT INITIAL APPOINTMENTS.) NO TWO INDUSTRY MEMBERS SHALL BE FROM THE SAME COMPANY, NOR MAY ANY PEST CONTROL COMPANY HAVE ANY REPRESENTATIVES ON THE COUNCIL FOR MORE THAN TWO CONSECUTIVE TERMS.

... ONE CERTIFIED TECHNICIAN SHALL BE ... (FROM) COOK COUNTY ... ONE ... NORTH OF LATITUDE 40 OUTSIDE COOK COUNTY ... AND ONE ... (FROM) SOUTH OF LATITUDE 40 .... THE DIRECTOR MAY CONSIDER CERTIFIED TECHNICIANS NOMINATED BY THE ILLINOIS PEST CONTROL ASSOCIATION.

... THE COUNCIL SHALL CONSULT WITH AND ADVISE THE DEPARTMENT IN:

(A) THE PREPARATION OF REASONABLE RULES ...
(B) THE PREPARATION OF WRITTEN EXAMINATIONS ...

THE COUNCIL MAY REVIEW THE RESULTS OF AN UNSUCCESSFUL EXAMINATION ... BY A WRITTEN REQUEST TO THE DIRECTOR SIGNED BY THREE OR MORE MEMBERS OF THE COUNCIL, AND ... REPORT ... TO THE DIRECTOR."

DEFINITIONS:

1. BUSINESS LOCATION
2. CERTIFIED TECHNICIAN
3. COUNCIL
4. DEPARTMENT
5. DIRECTOR
6. LICENSEE
7. PERSON
8. PESTS
9. STRUCTURAL PEST CONTROL
10. STRUCTURE

FINANCIAL RESPONSIBILITY:	CERTIFICATE OF INSURANCE:	
	PUBLIC LIABILITY FOR PERSONAL INJURY,	
	ONE PERSON, NOT LESS THAN	$ 250,000.00
	ONE OCCURRENCE, NOT LESS THAN	500,000.00
	PROPERTY DAMAGE, NOT LESS THAN	200,000.00
PENALTIES:		
CIVIL	NONE.	
CRIMINAL	VIOLATION OF ACT OR REGULATIONS CONSTITUTES A CLASS A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100.	
RELEVANT LAWS:	ECONOMIC POISON LAW (REGISTRATION LAW) (ILL. ANN. STAT. CH. 5, ¶ 87(C) 1 TO 87(C) 13, SUPP. 1975-1976)	
	CUSTOM APPLICATION OF PESTICIDES (ILL. ANN. STAT. CH. 5, ¶ 87(D) 1 TO 87(D) 17, SUPP. 1975-1976)	

INDIANA

TITLE: INDIANA PESTICIDE USE AND APPLICATION LAW (BURNS IND. STAT. ANN. CODE EDITION 15-3-3.6-1 TO 15-3-3.6-26, [illegible])

PROHIBITED ACTS: UNLAWFUL TO USE OR SUPERVISE THE USE OF A RESTRICTED PESTICIDE UNLESS CERTIFIED BY THE STATE CHEMIST; OR TO SELL RESTRICTED PESTICIDES UNLESS REGISTERED WITH THE STATE CHEMIST.

EXEMPTIONS: NONE. PRIVATE APPLICATORS MUST BE CERTIFIED BUT ARE NOT REQUIRED TO BE LICENSED. THEY MUST HOWEVER HAVE A PERMIT AUTHORIZING THE PURCHASE, POSSESSION, OR USE OF A RESTRICTED PESTICIDE.

CERTIFICATION OR LICENSING:

CATEGORIES — TO BE ESTABLISHED BY REGULATIONS.

QUALIFICATIONS — THE STATE CHEMIST SHALL ESTABLISH STANDARDS FOR CERTIFICATION OF APPLICATORS OF PESTICIDES.

APPLICATION — IN WRITING ON FORMS PROVIDED BY THE STATE CHEMIST.

EXAMINATION — MUST PASS AN EXAMINATION TO DEMONSTRATE KNOWLEDGE OF THE USE AND APPLICATION OF PESTICIDES AND THE NATURE AND EFFECT OF PESTICIDES PROPOSED TO BE USED.

FEES

PESTICIDE OPERATOR LICENSE (BUSINESS)	$ 50.00
LICENSED APPLICATOR	25.00
PRIVATE APPLICATOR	5.00
PUBLIC APPLICATOR	NONE

ISSUANCE — UPON BEING FOUND QUALIFIED, MEETING REQUIREMENTS OF RELEVANT LAWS, AND PROVIDING EVIDENCE OF FINANCIAL RESPONSIBILITY. EXPIRE MARCH 31. DEALER REGISTRATION EXPIRE DECEMBER 31.

RENEWAL — UPON APPLICATION, BEFORE APRIL 1. LATE PENALTY 25%.

NONRESIDENTS — PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES

REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	NO
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: SEE "PESTICIDE BOARD" UNDER DIGEST FOR INDIANA PESTICIDES LAW (BURNS IND. STAT. ANN. CODE EDITION 15-3-3.5-1 TO 15-3-3.5-36, 1974)

DEFINITIONS:

1. AGRICULTURAL COMMODITY
2. ANIMAL
3. BENEFICIAL INSECT
4. BOARD
5. CERTIFICATE OF FINANCIAL RESPONSIBILITY
6. CERTIFIED APPLICATOR
7. COMMERCIAL APPLICATOR
8. DEFOLIANT
9. DESICCANT
10. DEVICE
11. DISTRIBUTE
12. ENVIRONMENT
13. EQUIPMENT
14. FUNGUS
15. INSECT
16. LICENSED APPLICATOR
17. LICENSED PESTICIDE OPERATOR
18. LICENSED PUBLIC APPLICATOR
19. NEMATODE
20. PERMIT
21. PERSON
22. PEST
23. PESTICIDE
24. PLANT REGULATOR
25. PRIVATE APPLICATOR
26. PROPERTY
27. RESTRICTED PESTICIDE DEALER
28. RESTRICTED PESTICIDE USE
29. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
30. WEED
31. WILDLIFE

FINANCIAL RESPONSIBILITY: TO BE ESTABLISHED BY REGULATIONS.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT, OR INTERFERENCE WITH STATE CHEMIST DUTIES, SUBJECT TO A FINE OF NOT MORE THAN $1,000 FOR FIRST OFFENSE, AND NOT MORE THAN $5,000 FOR EACH SUBSEQUENT OFFENSE.

RELEVANT LAWS: PESTICIDES (REGISTRATION LAW)
(BURNS IND. STAT. ANN. CODE EDITION 15-3-3.5-1 TO 15-3-3.5-36, 1974)

INDIANA

TITLE:	PESTICIDES* (BURNS IND. STAT. ANN., CODE EDITION 15-3-3.5-1, SUPP. 1975)
PROHIBITED ACTS:	UNLAWFUL ...
	1. TO USE "RESTRICTED USE PESTICIDES" OR "PESTICIDES FOR USE BY PRESCRIPTION ONLY," CONTRARY TO REGULATIONS ISSUED BY THE INDIANA PESTICIDE REVIEW BOARD;
	2. TO USE HIGHLY VOLATILE HERBICIDES WITHOUT A PERMIT FROM THE STATE CHEMIST.
EXEMPTIONS:	QUALIFIED INVESTIGATORS APPROVED BY THE INDIANA PESTICIDE REVIEW BOARD, RESEARCH PERSONNEL OF THE U. S. DEPARTMENTS OF AGRICULTURE AND INTERIOR, PURDUE UNIVERSITY AGRICULTURAL EXPERIMENT STATION AND LICENSED PROFESSIONAL VETERINARIANS.
CERTIFICATION OR LICENSING:	LICENSING OF COMMERCIAL APPLICATORS NOT PROVIDED FOR IN THE ACT; PERMITS REQUIRED BY USERS. IMPLIED AUTHORITY TO EXAMINE APPLICANTS FOR "USE PERMITS"
CATEGORIES	NO CATEGORIES ESTABLISHED.
QUALIFICATIONS	
APPLICATION	
EXAMINATION	
FEES	
ISSUANCE	
RENEWAL	
NONRESIDENTS	

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	NO
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	NO

*THIS IS A COMBINED REGISTRATION AND USE AND APPLICATION LAW. ONLY THOSE SECTIONS RELATING TO USE AND APPLICATION ARE INCLUDED IN THIS DIGEST.

DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	NO
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	NO
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD:

"(PESTICIDE REVIEW BOARD) THERE IS CREATED THE INDIANA PESTICIDE REVIEW BOARD, HEREINAFTER REFERRED TO AS THE BOARD, AND CONSISTING OF ONE (1) REPRESENTATIVE OF THE STATE BOARD OF HEALTH; THE STATE TOXICOLOGIST; THE STATE VETERINARIAN; ONE (1) REPRESENTATIVE OF THE DEPARTMENT OF NATURAL RESOURCES; ONE REPRESENTATIVE OF THE PURDUE UNIVERSITY AGRICULTURAL EXPERIMENT STATION; ONE (1) REPRESENTATIVE OF THE INDIANA COOPERATIVE EXTENSION SERVICE; TWO ECOLOGISTS WITH EARNED DOCTORATE DEGREES, ONE (1) A TERRESTRIAL ECOLOGIST AND ONE (1) AN AQUATIC ECOLOGIST, NO MORE THAN ONE (1) OF WHOM MAY BE FROM A STATE SUPPORTED UNIVERSITY OR COLLEGE AND NO MORE THAN ONE (1) OF WHOM MAY BE A PLANT ECOLOGIST AND ONE (1) PUBLIC REPRESENTATIVE EACH WITH FULL VOTING POWER, ONE (1) REPRESENTATIVE OF THE PESTICIDE INDUSTRY AND ONE (1) REPRESENTATIVE OF PRODUCERS OF AGRICULTURAL CROPS OR PRODUCTS ON WHICH PESTICIDES ARE APPLIED OR WHICH MAY BE AFFECTED BY THE APPLICATION OF PESTICIDES AND TWO (2) PUBLIC REPRESENTATIVES FROM CONSERVATION ORGANIZATIONS, AS ADVISORY, NON-VOTING MEMBERS. SUCH MEMBERS SHALL BE APPOINTED BY THE GOVERNOR FOR TERMS OF FOUR (4) YEARS, PROVIDED THAT AT THE INCEPTION OF THIS CHAPTER THE GOVERNOR SHALL APPOINT THREE (3) MEMBERS FOR A PERIOD OF TWO (2) YEARS; THREE (3) MEMBERS FOR A PERIOD OF THREE (3) YEARS; AND THREE (3) MEMBERS FOR A PERIOD OF FOUR (4) YEARS. MEMBERS MAY BE APPOINTED FOR SUCCESSIVE TERMS AT THE DISCRETION OF THE GOVERNOR. THE GOVERNOR MAY REMOVE ANY MEMBER OF THE BOARD PRIOR TO THE EXPIRATION OF HIS TERM OF APPOINTMENT FOR CAUSE. NON-VOTING MEMBERS WILL SERVE AT THE PLEASURE OF THE GOVERNOR.

"(BOARD: VACANCIES) VACANCIES ON THE BOARD CREATED BY DEATH, RESIGNATION, OR REMOVAL FOR CAUSE OF ANY MEMBER SHALL BE FILLED BY THE GOVERNOR."

"(BOARD: CHAIRMAN) THE BOARD SHALL ELECT ONE OF ITS MEMBERS CHAIRMAN TO SERVE FOR A TERM OF TWO YEARS, UNLESS HIS APPOINTMENT SHOULD TERMINATE BEFORE THE EXPIRATION OF SAID TERM, IN WHICH CASE THE TERM SHALL BE FOR THE DURATION OF HIS APPOINTMENT.

"(BOARD: MEETINGS) THE BOARD SHALL MEET AT LEAST ANNUALLY AND AT SUCH OTHER TIMES AND AT SUCH PLACE AS SHALL BE SPECIFIED BY THE CALL OF THE CHAIRMAN OR A MAJORITY OF THE BOARD.

"(BOARD: QUORUM) SIX (6) VOTING MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM AND OFFICIAL ACTIONS WILL BE SUBJECT TO APPROVAL BY A SIMPLE MAJORITY OF BOARD MEMBERS PRESENT AT A CALLED MEETING. THE CHAIRMAN SHALL ACTIVELY PARTICIPATE IN ALL DECISIONS OF THE BOARD."

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADULTERATED
3. ANTIDOTE
4. ACQUATIC ECOLOGIST
5. BOARD
6. DEFOLIANT
7. DESICCANT
8. DEVICE
9. DISTRIBUTE
10. FUNGI
11. FUNGICIDE
12. HERBICIDE
13. HIGHLY VOLATILE
14. INERT INGREDIENT
15. INGREDIENT STATEMENT
16. INSECT
17. INSECTICIDE
18. LABEL
19. LABELING
20. MISBRANDED
21. NEMATOCIDE
22. NEMATODE
23. PERSON
24. PESTICIDE
25. PESTICIDES FOR PRESCRIPTION USE ONLY
26. PLANT REGULATOR
27. REGISTRANT
28. RESTRICTED USE PESTICIDE
29. RODENTICIDE
30. TERRESTRIAL ECOLOGIST
31. WEED

FINANCIAL RESPONSIBILITY: NONE.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT, OR INTERFERENCE WITH DUTIES OF STATE CHEMIST, CONSTITUTES MISDEMEANOR, SUBJECT TO A FINE OF NOT MORE THAN $1,000 FOR FIRST OFFENSE, AND NOT MORE THAN $5,000 FOR EACH SUBSEQUENT OFFENSE.

RELEVANT LAWS:

(INDIANA PESTICIDE USE AND APPLICATION LAW
(BURNS IND. STAT. ANN., CODE EDITION 15-3-3.6-1 TO 15-3-3.6-20, [illegible])

"INDIANA HAZARDOUS HOUSEHOLD PRODUCTS ACT"
(BURNS IND. STAT. ANN., § 35-4214 TO 35-4228, 1969)

"UNIFORM INDIANA FOOD, DRUG, AND COSMETIC ACT"
(BURNS IND. STAT. ANN., § 35-3101 TO 35-3139, 1969)

IOWA

TITLE: "PESTICIDE ACT OF IOWA"*
(IOWA CODE ANN., § 206.1 TO 206.22, SUPP. 1975-1976)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN CUSTOM APPLICATION OF PESTICIDES UNLESS LICENSED BY THE SECRETARY OF AGRICULTURE, OR TO APPLY RESTRICTED USE PESTICIDES UNLESS CERTIFIED. PESTICIDE DEALERS REQUIRED TO BE LICENSED.

EXEMPTIONS: STATE AND FEDERAL EMPLOYEES ENGAGED IN RESEARCH.

CERTIFICATION OR LICENSING:

CATEGORIES

CERTIFIED COMMERCIAL APPLICATOR
 COMMERCIAL APPLICATOR TITLE HAS THE STANDARD TEN EPA CATEGORIES PLUS AERIAL APPLICATOR CATEGORY. CATEGORY 1 AND 7 ARE SUB-CATEGORIZED.
CERTIFIED PRIVATE APPLICATOR
PUBLIC APPLICATOR
ADDITIONAL CATEGORIES MAY BE ESTABLISHED BY REGULATIONS.

QUALIFICATIONS

PROOF OF COMPETENCY AND RESPONSIBILITY REQUIRED. APPLY CERTIFICATION STANDARDS OF EPA.

APPLICATION

" ... PROPERLY EXECUTED APPLICATION ... " REQUIRED.

EXAMINATION

WRITTEN EXAMINATION IS REQUIRED FOR COMMERCIAL APPLICATORS AND PRIVATE APPLICATORS.

FEES

	LICENSE FEE	CERTIFICATION FEE
COMMERCIAL APPLICATOR	$ 25.00	$ 10.00
PRIVATE APPLICATOR		5.00
PUBLIC APPLICATOR	NO FEE	10.00
DELINQUENT RENEWAL	25%	
DEALERS LICENSE (PRIMARY OUTLET) SELLING RESTRICTED USE PESTICIDES	25.00	
DEALERS LICENSE (SECONDARY OUTLETS) SELLING RESTRICTED USE PESTICIDES	5.00	

ISSUANCE

AN ANNUAL LICENSE, EXPIRING DECEMBER 31, SHALL BE ISSUED UPON RECEIPT OF PROPERLY EXECUTED APPLICATION AND PAYMENT OF FEE. SECRETARY MAY REFUSE TO RENEW LICENSE DURING A PERIOD OF INVESTIGATION OF APPLICATOR'S WRONGDOING AND MAY CANCEL LICENSE IF APPLICATOR IS CONVICTED OF A VIOLATION OF THE ACT. AERIAL COMMERCIAL APPLICATORS MUST ALSO BE REGISTERED WITH THE IOWA AERONAUTICS COMMISSION.

RENEWAL

CERTIFICATION EXPIRES THREE YEARS FROM DATE OF ISSUANCE.

NONRESIDENTS

LICENSING OF A NONRESIDENT APPLICATOR IMPLIES CONSENT TO THE APPOINTMENT OF THE SECRETARY OF AGRICULTURE AS HIS AGENT FOR SERVICE OF LEGAL PROCESS. NONRESIDENT AERIAL APPLICATORS MAY APPLY PESTICIDES IN IOWA UNDER THE DIRECT SUPERVISION OF A LICENSED IOWA AERIAL APPLICATOR, OR THEY MAY OPERATE INDEPENDENTLY IF THEY OBTAIN A LICENSE, POST BOND AND REGISTER WITH THE IOWA AERONAUTICS COMMISSION. PROVISION FOR RECIPROCITY.

*PORTIONS OF THIS ACT RELATING TO THE REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD:

CHEMICAL TECHNOLOGY COMMISSION
(IOWA CODE ANN., § 1119.101 TO 1119.106, SUPP. 1971)

THE AIR QUALITY COMMISSION, THE WATER QUALITY COMMISSION, THE CHEMICAL TECHNOLOGY COMMISSION, AND THE SOLID WASTE DISPOSAL COMMISSION. EACH COMMISSION SHALL ESTABLISH POLICY FOR THE PROGRAMS AND SERVICES ASSIGNED TO IT.

"... THE CHEMICAL TECHNOLOGY COMMISSION SHALL CONSIST OF THE SECRETARY OF AGRICULTURE, THE COMMISSIONER OF PUBLIC HEALTH, THE DIRECTOR OF THE IOWA NATURAL RESOURCES COUNCIL, THE CHAIRMAN OF THE STATE SOIL CONSERVATION COMMITTEE, THE CHIEF EXECUTIVE OF THE LEAGUE OF IOWA MUNICIPALITIES, THE STATE CONSERVATION DIRECTOR AND THE DEAN, COLLEGE OF AGRICULTURE OF IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY, OR THEIR DESIGNEES, A REPRESENTATIVE OF A FIRM IN IOWA ACTIVELY ENGAGED IN THE MANUFACTURE OR FORMULATION OF AGRI-

CULTURAL CHEMICALS, AND A FARMER EXPERIENCED IN THE APPLICATION OF AGRICULTURAL CHEMICALS TO BE APPOINTED BY THE GOVERNOR WITH THE CONSENT OF TWO-THIRDS OF THE SENATE.

"THE COMMISSION SHALL COLLECT, ANALYZE, AND INTERPRET INFORMATION RELATING TO AGRICULTURAL CHEMICALS AND THEIR USE. THE COMMISSION SHALL COORDINATE THE REGULATION AND INFORMATION RESPONSIBILITIES OF STATE AGENCIES ON MATTERS RELATING TO THE SALE AND USE OF AGRICULTURAL CHEMICALS. IT SHALL ADOPT RULES RELATING TO THE SALE, USE AND DISUSE OF AGRICULTURAL CHEMICALS, AND MAY BY RULE, RESTRICT OR PROHIBIT THE SALE, DISTRIBUTION, OR USE OF ANY AGRICULTURAL CHEMICAL ....

"THE COMMISSION SHALL CONSIDER THE TOXICITY, HAZARD, EFFECTIVENESS AND PUBLIC NEED FOR THE AGRICULTURAL CHEMICALS, AND THE AVAILABILITY OF LESS TOXIC OR LESS HAZARDOUS AGRICULTURAL CHEMICALS AND SUBSTANCES OR OTHER MEANS OF CONTROL.

"THE COMMISSION SHALL, BY RULE AND REGULATION, AFTER A PUBLIC HEARING FOLLOWING DUE NOTICE:

1. DECLARE AS A PEST ANY FORM OF PLANT OR ANIMAL LIFE OR VIRUS WHICH IS UNDULY INJURIOUS TO PLANTS, MAN, DOMESTIC ANIMALS, ARTICLES, OR SUBSTANCES.

2. SPECIFY THE CONDITIONS UNDER WHICH CONTAINERS OF PESTICIDES MAY BE TRANSPORTED, STORED, OR DISPOSED.

3. DETERMINE THE PROPER USE OF PESTICIDES, INCLUDING THEIR FORMULATIONS, AND THE TIMES AND METHODS OF APPLICATION AND OTHER CONDITIONS OF USE.

4. REQUIRE THAT ALL VETERINARIANS LICENSED AND PRACTICING VETERINARY MEDICINE IN THE STATE PROMPTLY REPORT ANY CASE OF DOMESTIC LIVESTOCK POISONING OR SUSPECTED POISONING TO THE EXECUTIVE DIRECTOR AND THE VETERINARY MEDICAL DIAGNOSTIC LABORATORY AT IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY."

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADULTERATED
3. ANTIDOTE
4. CERTIFIED APPLICATOR
5. CERTIFIED COMMERCIAL APPLICATOR
6. CERTIFIED PRIVATE APPLICATOR
7. COMMERCIAL APPLICATOR
8. DEPARTMENT
9. DEVICE
10. DISTRIBUTE
11. HAZARD
12. INERT INGREDIENT
13. INGREDIENT STATEMENT
14. LABEL
15. LABELING
16. MISBRANDED
17. PERMIT
18. PERSON
19. PESTICIDE
20. PESTICIDE DEALER
21. PLANT GROWTH REGULATOR
22. PUBLIC APPLICATOR
23. REGISTRANT
24. RESTRICTED USE PESTICIDES
25. SECRETARY
26. STATE RESTRICTED USE PESTICIDE
27. UNDER THE DIRECT SUPERVISION OF
28. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT

FINANCIAL RESPONSIBILITY:

SURETY BOND OR LIABILITY INSURANCE:	
NOT LESS THAN	$ 50,000.00
DEDUCTIBLE CLAUSE:	
AERIAL APPLICATORS	500.00
OTHER APPLICATORS	250.00

PENALTIES:

CIVIL — NONE.

CRIMINAL — VIOLATION OF THE USE AND APPLICATION PORTION OF THE ACT CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $100 FOR THE FIRST OFFENSE AND NOT MORE THAN $1,000 FOR SUBSEQUENT OFFENSES. SUBSEQUENT OFFENSE COMMITTED MORE THAN FIVE YEARS AFTER PREVIOUS CONVICTION CONSTITUTES FIRST OFFENSE.

RELEVANT LAWS: DEPARTMENT OF ENVIRONMENTAL QUALITY (IOWA CODE ANN., § 1119.1 TO 1119.111, SUPP. 1972)

KANSAS

TITLE: "KANSAS PESTICIDE USE LAW"
(KAN. STAT. ANN., § 2-2413 TO 2-2437, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES TO THE LAND OF ANOTHER UNLESS LICENSED BY THE SECRETARY OF THE STATE BOARD OF AGRICULTURE; OR TO ACT AS AN EMPLOYEE OF PESTICIDE BUSINESS APPLICATOR, OR A GOVERNMENT AGENCY, WITHOUT A PERMIT.

EXEMPTIONS: STRUCTURAL PEST CONTROL OPERATORS, PERSONS WORKING ON OWN PREMISES OR THOSE OF ANOTHER IN AN EXCHANGE OF WORK, SHADE TREE AND ORNAMENTAL SHRUB WORK, AND GOVERNMENT RESEARCH PERSONNEL.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AQUATICS
2. CONFINED LIVESTOCK
3. FUNGICIDES
4. GENERAL
5. GRAIN
6. HERBICIDES
7. HORTICULTURE
8. INSECTICIDES
9. RANGE LIVESTOCK
10. RODENTICIDES
11. SEED

QUALIFICATIONS — MUST POSSESS ADEQUATE KNOWLEDGE CONCERNING PROPER USE AND APPLICATION OF PESTICIDES.

APPLICATION — MUST BE IN WRITING ON A FORM FURNISHED BY THE SECRETARY'S OFFICE.

EXAMINATION — TYPE NOT SPECIFIED, BUT A NUMBER OF SUBJECTS ARE INCLUDED IN THE EXAMINATION, GOVERNMENT AGENCIES NOT REQUIRED TO PASS EXAMINATION.

FEES

EXAMINATION FEE	$ 10.00
APPLICATOR'S BUSINESS LICENSE	25.00
GOVERNMENT AGENCY REGISTRATION	25.00
PESTICIDE EQUIPMENT OPERATORS' PERMIT	10.00
PUBLIC EQUIPMENT OPERATORS' PERMIT	10.00
EACH UNIT OF POWER EQUIPMENT	10.00

ISSUANCE — ISSUED UPON BEING FOUND QUALIFIED, AND FILING OF BOND OR INSURANCE. LICENSES EXPIRE AT END OF CALENDAR YEAR IN WHICH ISSUED.

RENEWAL — PROOF OF SATISFACTORY COMPLETION OF APPROVED TRAINING COURSE.

NONRESIDENTS — MUST FILE WRITTEN CONSENT TO ACCEPT SERVICE OF LEGAL PROCESS AND TO BE SUED FOR DAMAGES IN KANSAS COURTS. NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO

REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: THIRTEEN MEMBER BOARD REPRESENTING:

1. HEALTH
2. WATER RESOURCES
3. FORESTRY
4. GEOLOGICAL SURVEY
5. AGRICULTURE
6. SOIL CONSERVATION
7. LIVESTOCK COMMISSION
8. HOUSE OF REPRESENTATIVES
9. SENATE
10. CUSTOM GROUND APPLICATOR
11. CUSTOM AERIAL APPLICATOR
12. PESTICIDE INDUSTRY
13. AGRICULTURAL USER OF PESTICIDES

THE BOARD IS ADVISORY IN NATURE AND HAS NO REGULATORY AUTHORITY.

DEFINITIONS:

1. BOARD
2. DEFOLIANT
3. DESICCANT
4. EQUIPMENT
5. FUNGUS
6. INSECT
7. LAND
8. NEMATODE
9. PERSON
10. PEST
11. PESTICIDE
12. PESTICIDE BUSINESS APPLICATOR
13. PESTICIDE EQUIPMENT OPERATOR
14. PESTICIDE PUBLIC OPERATOR
15. PLANT REGULATOR
16. RODENT
17. SECRETARY
18. SNAILS OR SLUGS
19. WEED

FINANCIAL RESPONSIBILITY: SURETY BOND OR LIABILITY INSURANCE: (NOT LESS THAN)

WITHOUT LICENSED APPLICATION EQUIPMENT OR ONLY ONE UNIT	$ 2,000.00
EACH ADDITIONAL UNIT OF LICENSED EQUIPMENT	1,000.00
BODILY INJURY LIABILITY, EACH OCCURRENCE	25,000.00
PROPERTY DAMAGE, EACH OCCURRENCE	5,000.00
DEDUCTIBLE CLAUSE EACH OCCURRENCE	5.00

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT OR REGULATIONS IS AN UNCLASSIFIED MISDEMEANOR, SUBJECT TO A FINE OF NOT LESS THAN $100 AND NOT MORE THAN $500.

RELEVANT LAWS:

"KANSAS PEST CONTROL ACT"
(KAN. STAT. ANN., § 2-2401 TO 2-2412, SUPP. 1973)

LICENSES AND REGULATES:

1. TERMITE CONTROL
2. STRUCTURAL INSECT CONTROL
3. FUMIGATION
4. TREE PEST CONTROL

"KANSAS AGRICULTURAL CHEMICAL ACT OF 1947"
(KAN. STAT. ANN., § 2-2201 ET SEQ., 1964)

"KANSAS FOOD, DRUG, AND COSMETIC ACT"
(KAN. STAT. ANN., § 65-655 ET SEQ., 1964)

HAZARDOUS HOUSEHOLD ARTICLES
(KAN. STAT. ANN., § 65-2701 ET SEQ., 1964)

KANSAS

TITLE:	KANSAS PEST CONTROL ACT* (KAN. STAT. ANN., § 2-2401 TO 2-2412, SUPP. 1973)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF PEST CONTROL UNLESS LICENSED BY THE SECRETARY OF THE STATE BOARD OF AGRICULTURE.
EXEMPTIONS:	PERSONS WORKING ON THEIR OWN PREMISES; TREATMENT OF FABRICS OR FURS; AERIAL APPLICATORS OF PESTICIDES; FEDERAL, STATE AND LOCAL EMPLOYEES IN PERFORMANCE OF OFFICIAL DUTIES; PHYSICIANS, VETERINARIANS AND OTHERS TREATING HUMANS OR ANIMALS; NONPROFIT ORGANIZATIONS PERFORMING WORK EXCLUSIVELY FOR ITS MEMBERS; EMPLOYEES OF LICENSED PEST CONTROL OPERATORS; AND PERSONS LICENSED UNDER THE KANSAS PESTICIDE USE LAW.

CERTIFICATION OR LICENSING:

CATEGORIES	"FIELDS OF OPERATION" 1. ANIMAL PEST CONTROL 2. FUMIGATION PEST CONTROL 3. LANDSCAPE PEST CONTROL 4. STRUCTURAL INSECT CONTROL 5. TERMITE CONTROL 6. WEED CONTROL
QUALIFICATIONS	NOT SPECIFIED IN ACT.
APPLICATION	ON FORMS PROVIDED BY THE SECRETARY.
EXAMINATION	TYPE OF, NOT SPECIFIED IN ACT; MUST PASS A REASONABLE EXAMINATION; GIVEN THREE TIMES EACH YEAR.
FEES	EXAMINATION FEE, EACH EXAMINATION — $ 10.00 LICENSE, EACH PLACE OF BUSINESS — 100.00 RENEWAL — 100.00 LAST HALF OF LICENSE YEAR — 50.00 TECHNICAL REPRESENTATIVE (AT EACH PLACE OF BUSINESS) — NONE
ISSUANCE	"UPON COMPLIANCE WITH REQUIREMENTS." EXPIRE JUNE 30; NON-TRANSFERABLE.
RENEWAL	
NONRESIDENTS	NO PROVISION FOR RECIPROCITY; MUST DESIGNATE A RESIDENT AGENT TO ACCEPT SERVICE OF LEGAL PROCESSES.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES

*ENACTED IN APRIL 1965; AMENDED A NUMBER OF TIMES, THE LATEST IN 1973. PRIMARILY A CONSUMERS PROTECTION MEASURE.

INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS: (LAW)

1. ACT
2. ANIMAL
3. BOARD
4. CONTROL OF PEST
5. FIELDS OF OPERATION
   - A. ANIMAL PEST CONTROL
   - B. FUMIGATION PEST CONTROL
   - C. LANDSCAPE PEST CONTROL
   - D. STRUCTURAL INSECT CONTROL
   - E. TERMITE CONTROL
   - F. WEED CONTROL
6. FUMIGANT
7. FUNGICIDE
8. FUNGUS
9. HERBICIDE
10. INSECT
11. INSECTICIDE
12. PERSON
13. PEST
14. PEST CONTROL OPERATOR
15. PLACE OF BUSINESS
16. REPELLENT
17. RODENTICIDE
18. SECRETARY
19. TECHNICAL REPRESENTATIVE
20. WEED

FINANCIAL RESPONSIBILITY:

SURETY BOND, EACH PLACE OF BUSINESS NOT LESS THAN	$ 2,000.00
OR,	
LIABILITY INSURANCE, NOT LESS THAN	
BODILY INJURY, EACH OCCURRENCE	15,000.00
PROPERTY DAMAGE, EACH OCCURRENCE	5,000.00
DEDUCTIBLE CLAUSE, NOT MORE THAN	500.00

UNLAWFUL TO ADVERTISE AS "BONDED."

PENALTIES:

CIVIL	NONE.
CRIMINAL	VIOLATION OF ACT OR REGULATIONS CONSTITUTES A CLASS A MISDEMEANOR SUBJECT TO PENALTY AS PRESCRIBED BY LAW. (MAXIMUM FINE OF $2,500, OR ONE YEAR IN JAIL, OR BOTH.)

RELEVANT LAWS:	"KANSAS PESTICIDE USE LAW" (KAN. STAT. ANN., § 2-2413 TO 2-2437, SUPP. 1974)
	"KANSAS AGRICULTURAL CHEMICAL ACT OF 1947" (KAN. STAT. ANN., § 2-2201 ET SEQ., 1964)

KENTUCKY

TITLE: "KENTUCKY PESTICIDE USE AND APPLICATION ACT OF 1972" (KY. REV. STAT., § 217B.010 TO 217B.990, 1974 CUM ISSUE)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES TO THE LANDS OF ANOTHER, OR TO ACT AS A PESTICIDE OPERATOR, OR A PEST CONTROL CONSULTANT, UNLESS LICENSED BY THE DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION.

EXEMPTIONS: STATE AGENCIES; STRUCTURAL PEST CONTROL OPERATORS (LICENSED UNDER KRS 249.250 TO 249.340); PERSONS USING HAND-POWERED EQUIPMENT TO APPLY NON RESTRICTED USE PESTICIDES ON LAWNS, ORNAMENTAL SHRUBS, AND TREES NOT OVER 12 FEET HIGH, AS PART OF THEIR CARE OF PREMISES; FARMERS, FOR THEMSELVES OR THEIR NEIGHBORS, WHEN USING GROUND EQUIPMENT TO APPLY NON RESTRICTED USE PESTICIDES.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AGRICULTURAL PEST CONTROL - ANIMALS
2. AGRICULTURAL PEST CONTROL - PLANTS
3. AQUATIC PEST CONTROL
4. DEMONSTRATION AND RESEARCH PEST CONTROL
5. FOREST PEST CONTROL
6. INDUSTRIAL, INSTITUTIONAL, STRUCTURAL, AND HEALTH RELATED PEST CONTROL
7. ORNAMENTAL AND TURF PEST CONTROL
8. PUBLIC HEALTH PEST CONTROL
9. REGULATORY PEST CONTROL
10. RIGHT-OF-WAY PEST CONTROL

QUALIFICATIONS: MUST POSSESS "ADEQUATE KNOWLEDGE"; PEST CONTROL CONSULTANTS MUST PROVIDE EVIDENCE OF TRAINING AND EXPERIENCE TO UNDERSTAND "PEST CONTROL PRINCIPLES."

APPLICATION: ON A FORM PROVIDED BY THE DIRECTOR, INCLUDING INFORMATION ON APPLICANTS' QUALIFICATIONS AND PROPOSED OPERATIONS.

EXAMINATION: PEST CONTROL CONSULTANTS REQUIRED TO PASS A WRITTEN EXAMINATION; OTHER APPLICANTS MUST SHOW UPON EXAMINATION THAT THEY ARE QUALIFIED.

FEES

PEST CONTROL CONSULTANT, ANNUAL FEE	$ 50.00
PESTICIDE APPLICATOR, ANNUAL FEE	25.00
PESTICIDE OPERATOR, ANNUAL FEE	10.00
PUBLIC OPERATOR	NONE
AIRCRAFT LICENSING, ANNUAL FEE	10.00
GROUND EQUIPMENT, ANNUAL FEE	10.00
LICENSING (SECOND INSPECTION)	5.00
LATE RENEWAL, PLUS	25%

ISSUANCE: LICENSES EXPIRE AT END OF CALENDAR YEAR BUT MAY BE REVOKED FOR CAUSE, OR IF FINANCIAL SECURITY HAS EXPIRED.

RENEWAL: WRITTEN EXAM REQUIRED ONLY IF NEW KNOWLEDGE MAKES IT NECESSARY.

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS — YES; ENFORCE THE ACT — YES

DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: A PESTICIDE ADVISORY BOARD MAY BE APPOINTED BY THE ENVIRONMENTAL QUALITY COMMISSION WITH THE APPROVAL OF THE SECRETARY TO ASSIST IN THE PROMULGATION OF REGULATIONS AND THE ADMINISTRATION OF THIS CHAPTER.

DEFINITIONS:

1. DEFOLIANT
2. DEPARTMENT
3. DESICCANT
4. DISTRIBUTE
5. ENGAGE IN BUSINESS
6. EPA
7. EQUIPMENT
8. FUNGI
9. INSECT
10. LABEL
11. LAND
12. NEMATODE
13. PERSON
14. PEST
15. PEST CONTROL CONSULTANT
16. PESTICIDE
17. PESTICIDE APPLICATOR
18. PESTICIDE OPERATOR
19. PLANT REGULATOR
20. PUBLIC OPERATOR
21. RESTRICTED USE PESTICIDE
22. RESTRICTED USE PESTICIDE DEALER
23. SNAILS OR SLUGS
24. SPRAY ADJUVANT
25. WEED
26. WILDLIFE

FINANCIAL RESPONSIBILITY: SURETY BOND OR LIABILITY INSURANCE IN AN AMOUNT NOT LESS THAN $100,000 FOR PUBLIC LIABILITY, AND $25,000 FOR PROPERTY DAMAGE. DEDUCTIBLE CLAUSE OF $1,000 ACCEPTABLE.

PENALTIES:

CIVIL: CIVIL PENALTY OF NOT TO EXCEED $1,000, PLUS $1,000 FOR EACH DAY VIOLATION CONTINUES.

CRIMINAL: VIOLATION OF THE ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR, SUBJECT TO A PENALTY OF NOT LESS THAN $100, NOR MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS: "KENTUCKY PESTICIDE CONTROL ACT OF 1974" (REGISTRATION LAW) (KY. REV. STAT., § 217.540 TO 217.640, 1974 CUM ISSUE)

KENTUCKY TERMITE AND PEST CONTROL INDUSTRY LAW (KY. REV. STAT., § 249.250 TO 249.340, 1974 CUM ISSUE)

"KENTUCKY FOOD, DRUG AND COSMETIC ACT" (KY. REV. STAT., § 217.005 TO 217.215, 1962)

SEC. 217.145(2) PROVIDES FOR REGULATIONS OF PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES BY INCORPORATING APPLICABLE PROVISIONS OF THE FEDERAL, FOOD, DRUG, AND COSMETIC ACT.

"KENTUCKY HAZARDOUS SUBSTANCES LABELING ACT" (KY. REV. STAT., § 217.650 TO 217.710, 1962)

KENTUCKY DEPARTMENT OF AERONAUTICS KAV-5 "AERIAL APPLICATORS"

REQUIRES AERIAL APPLICATORS OF AGRICULTURAL CHEMICALS TO OBTAIN A PERMIT BEFORE ENGAGING IN THE BUSINESS OF APPLYING CHEMICALS TO CROPS, AND REQUIRES CERTAIN BONDING PROCEDURES.

KENTUCKY

TITLE: KENTUCKY TERMITE AND PEST CONTROL INDUSTRY LAW (KY. REV. STAT., § 249.230 TO 249.340, 1974 CUM ISSUE)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF OR TO SELL ADVICE REGARDING STRUCTURAL PEST CONTROL UNLESS LICENSED BY THE DEPARTMENT OF AGRICULTURE.

EXEMPTIONS: TREATMENT OF FABRICS AND FURS; PERSONS AND THEIR EMPLOYEES ON THEIR OWN PROPERTY; DEALERS IN PESTICIDES; AND AERIAL APPLICATORS LICENSED BY THE DEPARTMENT OF AERONAUTICS.

CERTIFICATION OR LICENSING:

CATEGORIES
1. CONTROL OF GENERAL PESTS AND RODENTS
2. CONTROL OF TERMITES AND OTHER WOOD DESTROYING ORGANISMS
3. FUMIGATION

QUALIFICATIONS: TWO YEARS OF EXPERIENCE; OR, TWO YEARS OF COLLEGE, MAJORING IN SUBJECTS RELATING TO CATEGORY OF LICENSING.

APPLICATION: ON FORMS PROVIDED BY THE DEPARTMENT, SUBMITTED 30 DAYS IN ADVANCE OF EXAMINATION.

EXAMINATION: ORAL OR WRITTEN; OR BOTH ORAL AND WRITTEN; GIVEN IN FEBRUARY, JUNE AND OCTOBER AND SPECIAL EXAMINATION, IF DEEMED NECESSARY.

FEES

APPLICATION, ONE OR ALL CATEGORIES	$ 15.00
RE-EXAMINATION, ONE CATEGORY	5.00
LICENSE, ORIGINAL ISSUANCE	NONE
REGISTRATION, EACH PLACE OF BUSINESS	100.00
ANNUAL RENEWAL, REGISTRATION AND LICENSE	100.00

ISSUANCE: UPON BEING FOUND COMPETENT AND QUALIFIED.

RENEWAL: RENEWABLE ANNUALLY WITHOUT EXAMINATION; NON-TRANSFERABLE; CHANGE IN BUSINESS STATUS REQUIRES REQUALIFICATION WITHIN 90 DAYS; ON DEATH OF OWNER, BUSINESS GIVEN MINIMUM OF 90 DAYS.

NONRESIDENT: NO PROVISION FOR RECIPROCITY; MUST APPOINT A RESIDENT AGENT TO ACCEPT SERVICE OF LEGAL PROCESSES.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	FO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

EXAMINING BOARD. "... THERE SHALL BE AN EXAMINING BOARD ... OF FIVE MEMBERS APPOINTED BY THE COMMISSIONER (OF AGRICULTURE) ... CITIZENS OF ... KENTUCKY ... (INCLUDING) A MEMBER OF THE DEPARTMENT, TWO MEMBERS OF THE DEPARTMENT OF ENTOMOLOGY OF THE UNIVERSITY OF KENTUCKY, AND TWO MEMBERS OF THE PEST CONTROL INDUSTRY."

DEFINITIONS:

(LAW)

1. BOARD
2. COMMISSIONER
3. DEPARTMENT
4. FUMIGATION
5. INSECT
6. OPERATOR
7. RODENT
8. TERMITE

(REGULATION)

1. CHEMICALS
2. FUMIGATION
   - A. FUMIGATION OPERATION
   - B. GENERAL FUMIGATION
   - C. OPERATOR IN CHARGE
   - D. SPOT TREATMENT
   - E. STRUCTURE OR ENCLOSED SPACE
   - F. UNAUTHORIZED PERSONNEL
3. GENERAL PEST AND RODENT CONTROL
   - A. ARTHROPOD
   - B. CONTROL OF ARTHROPOD PESTS
   - C. PESTICIDES
   - D. POISONING
   - E. RODENT CONTROL
   - F. SODIUM FLUOROACETATE
   - G. STRUCTURE
4. PLACE OF BUSINESS
5. TERMITE AND WOOD INFESTING ORGANISMS
   - A. BUILDING STRUCTURE
   - B. SECTIONAL TREATMENT

FINANCIAL RESPONSIBILITY:	LIABILITY INSURANCE:	(MINIMUM)
	PROPERTY DAMAGE	$ 25,000.00
	BODILY INJURY, PER PERSON	50,000.00
	BODILY INJURY, PER OCCURRENCE	100,000.00
	AND	
	WORKMENS' COMPENSATION INSURANCE	

PENALTIES:

CIVIL — IN LIEU OF SUSPENSION OF LICENSE, LICENSEE MAY, WITH APPROVAL OF BOARD, PAY AT THE RATE OF $50 PER DAY FOR PERIOD OF SUSPENSION.

CRIMINAL — VIOLATION OF ACT OR REGULATIONS SUBJECT TO A FINE OF NOT LESS THAN $100 FOR THE FIRST OFFENSE, AND NOT LESS THAN $200 FOR EACH SUBSEQUENT CONVICTION, OR NOT LESS THAN 30 DAYS NOR MORE THAN ONE YEAR IN JAIL; OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"KENTUCKY PESTICIDE USE AND APPLICATION ACT OF 1972"
(KY. REV. STAT., § 217B.010 TO 217B.990, 1974 CUM ISSUE)

KENTUCKY PESTICIDE CONTROL ACT OF 1974 (REGISTRATION LAW)
(KY. REV. STAT., § 217.540 TO 217.640, 1974 CUM ISSUE)

AERIAL APPLICATORS - REGULATIONS
KENTUCKY DEPARTMENT OF AERONAUTICS

"KENTUCKY FOOD, DRUG AND COSMETIC ACT"
(KY. REV. STAT., § 217.005 TO 217.215, SUPP. 1975)

LOUISIANA

TITLE: LOUISIANA PESTICIDE CONTROL ACT
(LA. REV. STAT., § 3-1621 TO 3-1645, 1950)
(SESSION LAWS, 1975, PAGE 574; ACT 778, 1975; HOUSE BILL 1631)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN CUSTOM APPLICATION OF PESTICIDES, OR TO ACT AS A PEST MANAGEMENT CONSULTANT UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE AND IMMIGRATION. UNLAWFUL TO SELL OR SUPERVISE THE SALE OF A RESTRICTED USE PESTICIDE UNLESS LICENSED.

* EXEMPTIONS: PRIVATE APPLICATORS MUST BE CERTIFIED (BUT DO NOT REQUIRE A LICENSE).

CERTIFICATION OR LICENSING:

* CATEGORIES

1. AERIAL APPLICATORS
2. AGRICULTURAL APPLICATORS
3. COMMERCIAL APPLICATORS
4. GROUND APPLICATORS
5. PEST MANAGEMENT CONSULTANTS
6. PRIVATE APPLICATORS
7. OTHER CATEGORIES MAY BE ESTABLISHED

QUALIFICATIONS: MUST HAVE KNOWLEDGE OF PEST CONTROL PRACTICES.

APPLICATION: FORM PROVIDED BY THE COMMISSIONER MUST INCLUDE INFORMATION REGARDING APPLICANT'S QUALIFICATIONS AND PROPOSED OPERATIONS.

EXAMINATION: REQUIRED TO PASS A WRITTEN EXAMINATION BEFORE OBTAINING A LICENSE OR CERTIFICATE OF COMPETENCY.

FEES

LICENSE:		$ 25.00
	EXAMINATION FEE	5.00
	RENEWAL	1.00
INSPECTION FEE:	EACH AIRCRAFT	10.00
	GROUND EQUIPMENT	10.00
	HAND EQUIPMENT	2.00
FIELD EMPLOYEES REGISTRATION		5.00
PRIVATE APPLICATORS		NONE
GOVERNMENT EMPLOYEES		NONE

ISSUANCE: LICENSE ISSUED UPON PASSING EXAMINATION. LICENSES AND PERMITS MAY BE SUSPENDED, CANCELLED, OR REVOKED FOR CAUSE.

RENEWAL: FAILURE TO RENEW LICENSE MAY REQUIRE REEXAMINATION.

* NONRESIDENTS: REQUIRED TO APPOINT SECRETARY OF STATE AS AN AGENT FOR SERVICE OF LEGAL PROCESS.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
* DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	Y/N
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT LAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: THE ACT DIRECTS THE COMMISSIONER TO APPOINT A 17-MEMBER ADVISORY COMMITTEE ON PESTICIDES.

" ... THE COMMISSION SHALL CONSIST OF 17 MEMBERS SELECTED BY THE COMMISSIONER ... TWO CERTIFIED AERIAL APPLICATORS ... FROM A LIST OF FOUR SUBMITTED BY THE LOUISIANA AGRICULTURAL AVIATION ASSOCIATION ... TWO CERTIFIED GROUND APPLICATORS FROM A LIST OF FOUR SUBMITTED BY THE LOUISIANA PESTICIDE APPLICATORS ASSOCIATION ... FOUR FARMERS ... FROM A LIST OF EIGHT SUBMITTED BY THE LOUISIANA FARM BUREAU (EQUAL REPRESENTATION FROM COMMODITIES OF COTTON, RICE, SOYBEANS, AND SUGAR CANE) ... TWO CHEMICAL REPRESENTATIVES ... FROM A LIST OF FOUR SUBMITTED BY THE LOUISIANA AGRICULTURAL CHEMICALS ASSOCIATION ... TWO CERTIFIED PEST MANAGEMENT CONSULTANTS ... FROM A LIST OF FOUR SUBMITTED BY THE LOUISIANA AGRICULTURAL CONSULTANTS ASSOCIATION ... TWO CERTIFIED PESTICIDE DEALERS ... FROM A LIST OF FOUR SUBMITTED BY THE LOUISIANA [illegible]AR'S ASSOCIATION ... ONE CERTIFIED AERIAL APPLICATOR (NOT A MEMBER OF THE ASSOCIATION) ... ONE MEMBER ... FROM A LIST OF TWO SUBMITTED BY THE LOUISIANA SHRIMP ASSOCIATION ... ONE MEMBER ... FROM A LIST OF TWO SUBMITTED BY THE LOUISIANA COTTON PRODUCERS ASSOCIATION ... " EXCEPT FOR INITIAL APPOINTMENTS, MEMBERS SERVE A FOUR-YEAR TERM, AND MAY BE REAPPOINTED.

DEFINITIONS:

1. ADVISORY COMMISSION
2. AGRICULTURAL COMMODITY
3. CERTIFIED APPLICATOR
4. CHEMIST
5. COMMISSIONER
6. COMMERCIAL APPLICATOR
7. COMPETENT
8. CUSTOM APPLICATOR
9. EPA
10. HAZARD
11. NON-TARGET ORGANISM
12. PERSON
13. PEST
14. PESTICIDE
15. PESTICIDE DEALER
16. PESTICIDE SALES SUPERVISOR
17. PESTICIDES WITH RESTRICTED USES
18. PEST MANAGEMENT CONSULTANT
19. PRACTICAL KNOWLEDGE
20. PRIVATE APPLICATOR
21. RULES AND REGULATIONS
22. STANDARD
23. UNDER THE DIRECT SUPERVISION OF
24. WEED

FINANCIAL RESPONSIBILITY: BOND IN MINIMUM AMOUNT OF $25,000 REQUIRED OF COMMERCIAL APPLICATORS.

PENALTIES:

CIVIL: "ANY LICENSE OR CERTIFICATION ... MAY BE DENIED, SUSPENDED, CANCELLED, OR REVOKED, OR ANY PERSON FINED UP TO $500 BY THE COMMISSIONER UPON RECOMMENDATION OF THE COMMISSION, AFTER A PUBLIC HEARING."

CRIMINAL: VIOLATION OF THE ACT OR REGULATIONS IS A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $10 NOR MORE THAN $500. THE COMMISSIONER MAY FILE INJUNCTIVE PROCEDURES.

RELEVANT LAWS: "STRUCTURAL PEST CONTROL LAW"
(LA. REV. STAT., § 40-1261 TO 40-1274, 1975)

REGISTRATION LAW
(LA. REV. STAT., § 3-1601 TO 3-1609, 1975)

REGULATES THE SALE AND PURITY OF PESTICIDES AND REQUIRES REGISTRATION; AUTHORIZES ESTABLISHMENT OF TOLERANCES; PERMITS REGISTRATION OF SPECIAL LOCAL NEED PESTICIDES; AND ALLOWS ISSUANCE OF EXPERIMENTAL USE PERMITS.

LOUISIANA HORTICULTURE LAWS
(LA. REV. STAT., § 37-1961 TO 37-1975, 1964)

ESTABLISHES A HORTICULTURE COMMISSION WITH AUTHORITY TO LICENSE AND REGULATE THE PRACTICE OF PERSONS ENGAGED IN:

1. ENTOMOLOGY
2. PLANT PATHOLOGY
3. COTTON INSECT CONTROL
4. SUGAR CANE BORER CONTROL
5. TREE SURGERY
6. POT PLANT AND NURSERY STOCK DEALER
7. RETAIL FLORIST
8. FUMIGATION
9. WHOLESALE FLORISTRY
10. LANDSCAPE ARCHITECTURE
11. HORTICULTURAL SERVICE
12. LANDSCAPE CONTRACTOR
13. ORNAMENTAL PLANT SPRAYING AND DUSTING

LOUISIANA

TITLE:	"STRUCTURAL PEST CONTROL LAW" (LA. REV. STAT., § 40-1261 TO 40-1276, 1975)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF STRUCTURAL PEST CONTROL UNLESS LICENSED BY THE STRUCTURAL PEST CONTROL COMMISSION.
EXEMPTIONS:	" ... NOTHING IN THIS (LAW) SHALL ... AFFECT THE CONTROL AND/OR ERADICATION OF AGRICULTURAL PESTS ... "; PERSONS WORKING ON THEIR OWN PROPERTY (PROVIDED THEY) "AVOID UNDUE HAZARDS TO PUBLIC HEALTH AND SAFETY;" MANUFACTURERS AND SELLERS OF PESTICIDES, HOWEVER IF THEY DEMONSTRATE THEIR PRODUCTS BY APPLICATION, THEY MUST BE LICENSED.

CER-TIFICATION OR LICENSING:

CATEGORIES: (PROFESSIONAL SERVICES)

1. ENTOMOLOGICAL WORK
   - A. FUMIGATION
   - B. HOUSEHOLD PEST CONTROL
   - C. TERMITE AND OTHER WOOD DESTROYING INSECTS
2. RODENT CONTROL

QUALIFICATIONS: GRADUATE OF COLLEGE OR UNIVERSITY WITH MAJOR IN ENTOMOLOGY; OR FOUR YEARS SATISFACTORY WORK UNDER A LICENSED OPERATOR.

APPLICATION: WRITTEN; THOSE WHO BASE QUALIFICATIONS ON EXPERIENCE MUST FURNISH AFFIDAVIT FROM LICENSEE VERIFYING EXPERIENCE.

EXAMINATION: WRITTEN, SUPPLEMENTED BY ORAL QUIZ INCLUDING TAXONOMY; GIVEN IN THE PARISH OF EAST BATON ROUGE DURING JANUAPY, APRIL, JULY AND OCTOBER; MINIMUM GRADE OF 70% REQUIRED TO PASS.

FEES: NONE

TAX ON PEST CONTROL OPERATORS:

EACH CONTRACT (ONE TREATMENT-CONTROL ON ONE INDIVIDUAL PREMISE) $ 3.00

TAXES COLLECTED FOR PURPOSE OF COVERING ALL COMMISSION EXPENSES, AND AT END OF FISCAL YEAR, SURPLUS FUNDS, IN EXCESS OF $100,000 REVERT TO LOUISIANA STATE UNIVERSITY EXPERIMENT STATION FOR RESEARCH ON STRUCTURAL AND HOUSEHOLD PEST CONTROL.

ISSUANCE: UPON SATISFACTORY COMPLETION OF ALL REQUIREMENTS. LICENSEES MAY NOT REQUIRE EMPLOYEES TO AGREE NOT TO ENGAGE IN PEST CONTROL AFTER LEAVING EMPLOYMENT (NEGATIVE COVENANT'S PROHIBITED).

RENEWAL: PERMANENT, NON-EXPIRING, NON TRANSFERABLE; LICENSEES IN INACTIVE STATUS OVER FOUR YEARS REQUIRED TO BE RE-EXAMINED.

NONRESIDENTS: RECIPROCITY IMPLIED; NONRESIDENTS FROM STATES THAT DO NOT REQUIRE A LICENSE FOR STRUCTURAL PEST CONTROL, MUST POSSESS SAME QUALIFICATIONS AS RESIDENT APPLICANTS TO OBTAIN A LICENSE.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES

ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: (COMMISSION) "THERE IS HEREBY CREATED A STRUCTURAL PEST CONTROL COMMISSION ... OF FIVE MEMBERS ... THE COMMISSIONER OF AGRICULTURE AND IMMIGRATION (CHAIRMAN), THE STATE ENTOMOLOGIST, ONE MEMBER OF THE FACULTY FROM THE ENTOMOLOGY DEPARTMENT OF THE LOUISIANA STATE UNIVERSITY AND AGRICULTURAL AND MECHANICAL COLLEGE, AND TWO MEMBERS (RESIDENT, ACTIVE LICENSEES) ... LATTER THREE MEMBERS ... APPOINTED BY THE GOVERNOR ... TWO YEAR TERMS ... "

DEFINITIONS:

(LAW)	(REGULATION)
1. APPLICANT	1. ACT AND/OR PART
2. BOND	2. AGRICULTURAL PEST
3. CERTIFIED APPLICATOR	3. BUSINESS
4. COMMISSION	4. DIRECT SUPERVISION
5. COMMISSIONER	5. ENTOMOLOGICAL WORK
6. EMPLOYEE	6. FUMIGATION
7. EPA	7. HOUSEHOLD INSECTS
8. FUMIGANT	8. HOUSEHOLD INSECT CONTROL
9. INSECTICIDES	9. LICENSE
10. LICENSEE	10. PERSONS AND/OR INDIVIDUAL
11. REGISTERED EMPLOYEE	11. PLACE OF BUSINESS
12. REPELLENTS	12. RODENT CONTROL
13. RESTRICTED USE PESTICIDE	13. SECRETARY

14. RODENT
15. RODENT CONTROL
16. RODENTICIDES
17. STRUCTURAL PEST CONTROL
18. WOOD DESTROYING
ORGANISMS

14. SPOT TREATMENT
15. TERMITE CONTROL:
A. DRY WOOD TERMITES
B. SUBTERRANEAN TERMITES
16. TERMITE CONTROL
17. WOOD DESTROYING INSECTS

FINANCIAL RESPONSIBILITY: INSURANCE: (NOT LESS THAN)

PERSONAL INJURY (ONE PERSON)	$ 25,000.00
PERSONAL INJURY (ONE ACCIDENT)	50,000.00
PROPERTY DAMAGE	10,000.00
AND	
PERFORMANCE BOND	5,000.00

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $500, OR IMPRISONMENT FOR NOT LESS THAN 30 DAYS, NOR MORE THAN 90 DAYS; OR BOTH FINE AND IMPRISONMENT. INJUNCTIVE PROCEEDINGS BY COMMISSION AUTHORIZED, NOT WITHSTANDING AVAILABILITY OF OTHER LEGAL REMEDIES.

RELEVANT LAWS:

LOUISIANA PESTICIDE CONTROL ACT
(SESSION LAWS, 1975, PAGE 574; ACT 778, 1975; HOUSE BILL 1631)

REGISTRATION LAW
(LA. REV. STAT., § 3-1601 TO 3-1609, 1975)

LOUISIANA HORTICULTURAL LAWS
(LA. REV. STAT., § 37-1961 TO 37-1975, 1975)

MAINE

TITLE: BOARD OF PESTICIDES CONTROL
(ME. REV. STAT. ANN., TIT. 22, § 1471A TO 1471N, SUPP. 1975)

PROHIBITED ACTS: UNLAWFUL TO:

1. ENGAGE IN CUSTOM APPLICATION OF PESTICIDES WITHOUT A LICENSE FROM THE BOARD OF PESTICIDE CONTROL, OR TO USE OR SUPERVISE THE USE OF A RESTRICTED USE PESTICIDE UNLESS CERTIFIED.

2. APPLY PESTICIDES TO OR IN STREAMS, RIVERS OR PONDS, WITHOUT A PERMIT FROM THE BOARD.

3. SELL OR DISTRIBUTE (DEALERS) UNLESS LICENSED.

EXEMPTIONS: STRUCTURAL PEST CONTROL, CERTAIN STATE FORESTRY ACTIVITIES, LICENSED ARBORISTS. MUNICIPALITIES APPLYING PESTICIDES SHALL HAVE AT LEAST ONE LICENSED EMPLOYEE. ANY PERSON DESIRING TO USE OR APPLY A RESTRICTED USE PESTICIDE MUST BE CERTIFIED.

CERTIFICATION OR LICENSING:

CATEGORIES

INSECTICIDES AND FUNGICIDES	-	GROUND, AERIAL
HERBICIDES	-	GROUND, AERIAL, AQUATIC
PLANT REGULATORS, DEFOLIANTS, OR DESICCANTS	-	GROUND, AERIAL
OTHER CATEGORIES AUTHORIZED	-	GROUND, AERIAL, AQUATIC

QUALIFICATIONS: ADEQUATE KNOWLEDGE REQUIRED, TO CONFORM WITH FEDERAL STANDARDS.

APPLICATION: FORM TO SHOW QUALIFICATIONS AND "OTHER RELEVANT MATTERS."

EXAMINATION: WRITTEN AND DEMONSTRATION REQUIRED FOR COMMERCIAL APPLICATORS AND DEALERS. PRIVATE APPLICATORS TO BE CERTIFIED AS COMPETENT.

FEES: $10 ANNUALLY.

ISSUANCE: LICENSE ISSUED FOR CALENDAR YEAR. MAY BE SUSPENDED FOR CAUSE AFTER HEARING.

RENEWAL: UPON PAYMENT OF $10 FEE AND FURNISHING PREVIOUS YEARS REPORTS OF PESTICIDE APPLICATION.

NONRESIDENTS: PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	YES
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "THERE IS ESTABLISHED A BOARD OF PESTICIDES CONTROL TO BE COMPOSED OF THE COMMISSIONER OF AGRICULTURE, THE COMMISSIONER OF HEALTH AND WELFARE, THE DIRECTOR OF THE BUREAU OF FORESTRY, THE COMMISSIONER OF INLAND FISHERIES AND GAME, THE COMMISSIONER OF MARINE RESOURCES, THE CHAIRMAN OF THE PUBLIC UTILITIES COMMISSION, THE COMMISSIONER OF TRANSPORTATION AND THE COMMISSIONER OF ENVIRONMENTAL PROTECTION. THE COMMISSIONERS OF THE STATE DEPARTMENTS MAY APPOINT AGENTS TO SERVE IN THEIR ABSENCE. THE BOARD SHALL ELECT ANNUALLY A CHAIRMAN FROM ITS OWN MEMBERSHIP AND BE AUTHORIZED TO EMPLOY NECESSARY PERSONNEL."

DEFINITIONS:

1. AGRICULTURAL COMMODITY
2. AIRCRAFT
3. BOARD
4. CERTIFIED APPLICATOR
5. COMMERCIAL APPLICATOR
6. DEFOLIANT
7. DESICCANT
8. DISTRIBUTE
9. FIFRA
10. FUNGI
11. FUNGICIDE
12. GROUND EQUIPMENT
13. HERBICIDES
14. INSECT
15. INSECTICIDE
16. LIMITED USE PESTICIDE
17. PERSON
18. PEST
19. PESTICIDE
20. PESTICIDE DEALER
21. PLANT REGULATOR
22. PRIVATE APPLICATOR
23. RESTRICTED USE PESTICIDE
24. UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR
25. WEED

FINANCIAL RESPONSIBILITY: REQUIRED: AMOUNTS TO BE ESTABLISHED BY REGULATION

GROUND APPLICATION - PUBLIC LIABILITY	$ 20,000/40,000
PROPERTY DAMAGE	10,000/25,000
AIRCRAFT APPLICATION - PUBLIC LIABILITY	50,000/100,000
PROPERTY DAMAGE	25,000/50,000

PENALTIES:

CIVIL — NONE.

CRIMINAL — VIOLATION OF THE LAW OR REGULATIONS IS A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $500 FOR THE FIRST OFFENSE, AND NOT LESS THAN $500 FOR EACH SUBSEQUENT OFFENSE. EACH DAY OF OPERATION WITHOUT A LICENSE OR A PERMIT IS A SEPARATE OFFENSE.

RELEVANT LAWS:

MAINE PESTICIDE CONTROL ACT OF 1975 (REGISTRATION LAW)
(SESSION LAWS 1975, PAGE 469, CH. 382, HOUSE BILL 853)

"UNIFORM HAZARDOUS SUBSTANCES LABELING ACT"
(ME. REV. STAT. ANN., TIT. 7, § 501 TO 513, 1964)

ARBORIST LAW
(ME. REV. STAT. ANN., TIT. 32, 1964)

DEPARTMENT OF ENVIRONMENTAL PROTECTION
(ME. REV. STAT. ANN., TIT. 12, § 5011, 1964)
(PUBLIC LAWS 1971, CH. 489)

CERTAIN ENVIRONMENTALLY ORIENTED BOARDS AND COMMISSIONS ARE INCLUDED IN THIS NEW DEPARTMENT; HOWEVER, IT DOES NOT INCLUDE THE BOARD OF PESTICIDE CONTROL; THE BOARD REMAINS A SEP'RATE ENTITY.

PEST CONTROL COMPACT
(ME. REV. STAT. ANN., TIT. 12, § 1111 TO 1128, 1964)
(PUBLIC LAWS 1967, CH. 485)

MARYLAND

TITLE: MARYLAND PESTICIDE APPLICATORS LAW (MD. AGRI. CODE ANN., § 5-201 TO 5-211, SUPP. 1975)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES OR TO ACT AS A PEST CONTROL CONSULTANT UNLESS LICENSED BY THE DEPARTMENT OF AGRICULTURE. PRIVATE APPLICATORS SHALL OBTAIN A CERTIFICATE AND RENEW IT PERIODICALLY.

EXEMPTIONS: MANUAL LABORERS (UNDER SUPERVISION).

CERTIFICATION OR LICENSING:

CATEGORIES

1. BIRD CONTROL
2. FUMIGATION
3. GENERAL PEST CONTROL
4. LAWN OR ORNAMENTAL PLANT PEST CONTROL
5. RODENT CONTROL
6. TERMITE CONTROL
7. WEED CONTROL
8. OTHERS MAY BE ESTABLISHED BY REGULATIONS

QUALIFICATIONS

1. TWO YEARS OF EXPERIENCE, OR,
2. A DEGREE OR CERTIFICATION FROM AN ACCREDITED COLLEGE, OR
3. A COMBINATION OF 1 AND 2 ABOVE EQUIVALENT TO TWO YEARS OF PRACTICAL EXPERIENCE. ONE YEAR OF TRAINING MAY EQUAL ONE YEAR OF EXPERIENCE.

APPLICATION — WRITTEN, ON ESTABLISHED FORM.

EXAMINATION — ORAL OR WRITTEN, OR BOTH ORAL AND WRITTEN REQUIRED BY THE ACT.

FEES — CUSTOM APPLICATOR, PEST CONTROL CONSULTANT, AND PEST CONTROL APPLICATOR LICENSE FEE IS $50 PER ANNUM, PLUS $25 FOR EACH CATEGORY IN EXCESS OF ONE. PRIVATE APPLICATORS FEE TO BE SET BY REGULATION NOT TO EXCEED $7.00.

EXAMINATION FEE (INITIAL)	NONE
SUBSEQUENT EXAMINATIONS	$ 10.00
PRIVATE APPLICATORS	NONE
BUSINESS LICENSE	50.00

ISSUANCE — UPON PASSING AN EXAMINATION. EXPIRE JUNE 30.

RENEWAL — MUST DEMONSTRATE CONTINUED PROOF OF SATISFACTORY KNOWLEDGE OF PESTICIDES, AND ATTEND REQUIRED TRAINING COURSES.

NONRESIDENTS — PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES

REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: MARYLAND PESTICIDE ADVISORY BOARD.

DEFINITIONS:

(LAW)

1. APPLICATION
2. BOARD
3. CERTIFIED APPLICATOR
4. CUSTOM APPLICATOR
5. DEFOLIANT
6. DESICCANT
7. DEVICE
8. GENERAL USE PESTICIDE
9. PEST
10. PEST CONTROL CONSULTANT
11. PEST CONTROL OPERATOR
12. PESTICIDE
13. PRIVATE APPLICATOR
14. PUBLIC AGENCY APPLICATOR
15. RESTRICTED USE PESTICIDE
16. REGISTERED EMPLOYEE
17. SUPERVISION

(REGULATION)

1. BRANCH OFFICE
2. CERTIFIED PEST CONTROL OPERATOR
3. DEPARTMENT
4. DIRECT SUPERVISION OR SUPERVISION
5. FUMIGANT
6. LICENSEE
7. PERSON OR BUSINESS
8. PEST CONTROL LICENSE
9. PLACE OF BUSINESS
10. REGISTERED EMPLOYEE
11. SPACE SPRAY

FINANCIAL RESPONSIBILITY:

PUBLIC LIABILITY, EACH PERSON	$ 100,000.00
PUBLIC LIABILITY, EACH OCCURRENCE	300,000.00
PROPERTY DAMAGE, EACH OCCURRENCE	15,000.00
PROPERTY DAMAGE, AGGREGATE	30,000.00

PENALTIES:

CIVIL — NONE (SECRETARY MAY PLACE LICENSEES ON PROBATION).

CRIMINAL — VIOLATION OF THE LAW OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE NOT TO EXCEED $1,000, OR IMPRISONMENT OF NOT MORE THAN 60 DAYS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS: "MARYLAND PESTICIDE REGISTRATION AND LABELING LAW" (MD. AGRI. CODE ANN., § 5-101 TO 5-114, 1974)

MASSACHUSETTS

TITLE: PESTICIDE BOARD - APPLICATION OF PESTICIDES (MASS. ANN. LAWS, CH. 94B, § 21A TO 22, SUPP. 1975)

PROHIBITED ACTS: UNLAWFUL TO APPLY PESTICIDES "ON THE LAND OF ANOTHER" UNLESS LICENSED BY THE PESTICIDE BOARD.

EXEMPTIONS: FARMERS ARE EXEMPT FROM LICENSING, BUT ARE REQUIRED TO USE PESTICIDES ONLY IN ACCORDANCE WITH LABEL DIRECTIONS. ALL PERSONS MAY BE REQUIRED TO OBTAIN A PERMIT FOR CERTAIN PESTICIDES.

CERTIFICATION OR LICENSING:

CATEGORIES

QUALIFICATIONS — ALL APPLICANTS MUST BE 16 YEARS OF AGE OR OVER. TWO CLASSES OF LICENSES ARE ESTABLISHED: (1) OPERATIONAL, (2) SUPERVISORY. CERTAIN EDUCATIONAL OR EXPERIENCE PREREQUISITES ESTABLISHED, INCLUDING EXPERIENCE AT OPERATIONAL LEVEL, PRIOR TO ELIGIBILITY FOR SUPERVISORY LICENSE.

APPLICATION — NOT SPECIFIED IN ACT. (PROVIDED FOR IN RULES AND REGULATIONS.)

EXAMINATION — NOT SPECIFIED IN ACT. (PROVIDED FOR IN RULES AND REGULATIONS.)

FEES — THE LAW SPECIFIES THAT THE ANNUAL FEE SHALL NOT EXCEED $5. REGULATIONS ESTABLISH SUPERVISORY LICENSE FEE OF $5 AND OPERATIONAL LICENSE FEE OF $3. REGULATIONS PROVIDE THAT FEE MAY BE REQUIRED. FEES INSTITUTED AT BEGINNING (OCTOBER 21, 1975) OF RENEWAL CYCLE.

ISSUANCE — "LICENSES SHALL BE GRANTED TO THOSE WHO MEET THE REQUIREMENTS OF THE BOARD ... AND WHO ACHIEVE A SATISFACTORY MARK ON AN EXAMINATION ...; SUCH LICENSES SHALL REMAIN IN FORCE FOR A PERIOD OF TWO YEARS ... " (WHOLESALERS AND DISTRIBUTORS MUST BE LICENSED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING BEFORE SELLING AND DEALING IN PESTICIDES.)

RENEWAL — EVERY TWO YEARS.

NONRESIDENTS — PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO

PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	NO
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: "THERE SHALL BE IN THE DEPARTMENT (ENVIRONMENTAL QUALITY ENGINEERING) A PESTICIDE BOARD, HEREINAFTER REFERRED TO AS THE BOARD, CONSISTING OF THE COMMISSIONER, WHO SHALL BE THE CHAIRMAN, THE COMMISSIONER OF NATURAL RESOURCES, THE COMMISIONER OF AGRICULTURE, THE COMMISSIONER OF PUBLIC WORKS, THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME, THE CHAIRMAN OF THE STATE RECLAMATION BOARD, OR THEIR DESIGNEES, AND FIVE MEMBERS TO BE APPOINTED BY THE GOVERNOR. THE APPOINTIVE MEMBERS SHALL SERVE FOR TERMS COTERMINOUS WITH THE GOVERNOR. SAID APPOINTIVE MEMBERS SHALL SERVE WITHOUT COMPENSATION BUT SHALL RECEIVE THEIR NECESSARY EXPENSES INCURRED IN THE DISCHARGE OF THEIR DUTIES. THE BOARD SHALL MEET AT LEAST FOUR TIMES ANNUALLY AND FROM TIME TO TIME AT THE CALL OF THE CHAIRMAN OR UPON WRITTEN REQUEST OF ANY TWO MEMBERS OF THE BOARD. ALL DECISIONS OF THE BOARD SHALL BE BY MAJORITY VOTE AND SHALL BE EXECUTED AND ADMINISTERED BY THE COMMISSIONER, EXCEPT AS OTHERWISE PROVIDED."

DEFINITIONS:

1. APPLICATION OF PESTICIDES
2. BOARD
3. DISPOSAL
4. FARMER
5. LAND OF ANOTHER
6. OPERATIONAL LICENSE
7. PESTICIDE
8. SUPERVISORY LICENSE
9. SURFACE WATERS AND THEIR TRIBUTARIES USED FOR PUBLIC WATER SUPPLY
10. WATERSHED OF PUBLIC WATER SUPPLY

FINANCIAL RESPONSIBILITY: NOT SPECIFIED IN ACT.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT SUBJECT TO A FINE OF NOT MORE THAN $500, OR BY IMPRISONMENT FOR NOT MORE THAN TWO MONTHS OR BOTH FINE AND IMPRISONMENT. VIOLATION OF REGULATIONS OF THE BOARD SUBJECT TO A FIRST OFFENSE FINE OF $100, AND A SUBSEQUENT OFFENSE FINE NOT EXCEEDING $500.

RELEVANT LAWS:

PESTICIDES LAW (REGISTRATION LAW)
(MASS. ANN. LAWS, CH. 94B, S 11 TO 21, SUPP. 1975)

HAZARDOUS SUBSTANCES
(MASS. ANN. LAWS, CH. 94B, S 1 TO 10, 1967)

APPLIES TO HAZARDOUS MATERIALS OTHER THAN PESTICIDES.

CONTROL OF PLANT PESTS
(MASS. ANN. LAWS, CH. 128, S 16 ET SEQ., 1967)

DIVISION OF ENVIRONMENTAL PROTECTION
(MASS. ANN. LAWS, CH. 12, S 11D, SUPP. 1972)
(ACTS 1972, CH. 781)

REQUIRES PREPARATION OF ENVIRONMENTAL IMPACT REPORTS (INCLUDING "PESTICIDE POLLUTION")

MICHIGAN

TITLE:	PESTICIDE APPLICATOR'S LAW (MICH. STAT. ANN., § 12.353(1) TO 12.353(10), 1975)
PROHIBITED ACTS:	UNLAWFUL TO APPLY PESTICIDES COMMERCIALLY UNLESS LICENSED BY THE DIRECTOR OF AGRICULTURE.
EXEMPTIONS:	PROPERTY OWNERS OR THEIR EMPLOYEES, FARMERS TRADING WITH OTHER FARMERS, MUNICIPALITIES, ROAD COMMISSIONS OR STATE OR FEDERAL AGENCIES.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AERIAL APPLICATION
2. AQUATIC PEST CONTROL
3. BRUSH CONTROL AND SOIL STERILANT
4. MOSQUITO AND PUBLIC HEALTH PEST CONTROL
5. SPACE FUMIGATION
6. CONTROL OF PEST RELATED TO STRUCTURES
7. VERTEBRATE CONTROL
8. ANIMAL PEST CONTROL
9. FIELD CROP PEST CONTROL
10. FRUIT CROP PEST CONTROL
11. LAWN, GARDEN AND ORNAMENTAL PEST CONTROL
12. FOREST AND SHADE TREE PEST CONTROL

QUALIFICATIONS	DIRECTOR MUST FIND APPLICANT QUALIFIED BY A WRITTEN EXAMINATION AND THAT HE MEETS MINIMUM FINANCIAL RESPONSIBILITY REQUIREMENTS.
APPLICATION	ON FORMS FURNISHED BY THE DIRECTOR.
EXAMINATION	WRITTEN EXAMINATIONS IN EACH CATEGORY OF OPERATION.
FEES	LICENSE $20, RENEWABLE ANNUALLY JANUARY 1; RESTRICTED USE PESTICIDE DEALER $50, RENEWABLE ANNUALLY JANUARY 1.
ISSUANCE	UPON PASSING WRITTEN EXAMINATION, WITH A SCORE OF 70%.
RENEWAL	UPON PAYMENT OF FEE; DIRECTOR MAY REQUIRE REEXAMINATION IF NEW KNOWLEDGE OR TECHNIQUES DEVELOPED.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	NO	REQUIRE COMPLIANCE WITH LABEL	NO
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	NO
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO

REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DE/CLASS RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	NO
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	NO
RECORDS OPEN FOR INSPECTION	NO	FURNISH COPIES OF RECORDS	NO
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: FIVE-MEMBER ADVISORY COMMITTEE CREATED CONSISTING OF DIRECTOR OF NATURAL RESOURCES, DIRECTOR OF PUBLIC HEALTH, DIRECTOR OF AERONAUTICS, DIRECTOR OF THE PESTICIDES RESEARCH CENTER, MICHIGAN STATE UNIVERSITY, AND THE EXECUTIVE SECRETARY OF THE WATER RESOURCES COMMISSION (OR THEIR DESIGNEE).

DEFINITIONS:

1. AIRCRAFT
2. DEFOLIANT
3. DESICCANT
4. DIRECTOR
5. ECONOMIC POISON
6. EQUIPMENT
7. FUNGI
8. FUNGICIDE
9. GROUND EQUIPMENT
10. HERBICIDE
11. INSECT
12. INSECTICIDE
13. NEMATOCIDE
14. NEMATODE
15. PERSON
16. PLANT REGULATOR
17. WEED

FINANCIAL RESPONSIBILITY:

	LIABILITY INSURANCE	PROPERTY DAMAGE	CORPORATE SURETY BOND OR EQUIVALENT
APPLICATOR (GENERAL)	$20,000/40,000	$10,000	$2,500
BRUSH CONTROL, SOIL STERILANT, FOREST AND SHADE TREE PEST CONTROL	20,000/40,000	25,000	5,000
AERIAL APPLICATORS SPACE FUMIGATION	50,000/100,000	35,000	5,000

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATION IS A MISDEMEANOR.

RELEVANT LAWS: MICHIGAN 2,4-D ACT (MICH. STAT. ANN., § 12.366, 1957)

PERMITS ESTABLISHMENT OF DESIGNATED AREAS WITHIN WHICH THE USE OF CERTAIN HERBICIDES MAY BE PROHIBITED (GRAPE VINEYARDS).

"INSECTICIDE FUNGICIDE AND RODENTICIDE ACT OF 1948" (REGISTRATION LAW) (MICH. STAT. ANN., S: 12-[illegible](1) TO 12-[illegible](13), 1975)

AUTHORIZES THE DIRECTOR OF AGRICULTURE TO DECLARE RESTRICTED USE PESTICIDES, LICENSE DEALERS IN RESTRICTED USE PESTICIDES, AND TO LIMIT SALES OF RESTRICTED USE PESTICIDES TO LICENSED APPLICATORS, GOVERNMENT AGENCIES OR OTHER COMPETENT PERSONS.

MINNESOTA

TITLE:	MINNESOTA SPRAYING AND DUSTING LAW (MINN. STAT., § 18.031 TO 18.035, 1971)
PROHIBITED ACTS:	UNLAWFUL TO:
	1. SPRAY OR DUST FOR HIRE UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE;
	2. SELL RESTRICTED USE PESTICIDES UNLESS A LICENSED DEALER.
EXEMPTIONS:	HOMEOWNERS AND FARMERS ON OWN PREMISES, OR ON NEIGHBORS' PREMISES WHEN NOT FOR HIRE; LICENSED PHYSICIANS, DENTISTS, OR VETERINARIANS PRESCRIBING, DISPENSING, OR ADMINISTERING PESTICIDES IN THEIR PRACTICE.
CERTIFICATION OR LICENSING:	
CATEGORIES	AERIAL APPLICATORS AQUATIC APPLICATORS CUSTOM APPLICATORS
QUALIFICATIONS	DETERMINED BY COMMISSIONER TO BE "QUALIFIED."
APPLICATION	TO BE MADE ON FORM PROVIDED BY COMMISSIONER.
EXAMINATION	WRITTEN.
FEES	ORIGINAL LICENSE OR RENEWAL $ 5.00 EACH IDENTIFICATION CARD FEE 5.00 LATE RENEWAL PENALTY (PLUS) 50% (RESTRICTED USE PESTICIDE DEALER'S LICENSE FEE 20.00)
ISSUANCE	ISSUED ANNUALLY ON CALENDAR YEAR BASIS. AERIAL APPLICATORS TO HAVE PASSED ADDITIONAL EXAMINATION PREPARED BY DEPARTMENT OF AERONAUTICS; PERSONS APPLYING PESTICIDES TO PUBLIC WATERS MUST HAVE PASSED EXAMINATION PREPARED BY DEPARTMENT OF NATURAL RESOURCES.
RENEWAL	RENEWABLE BY EXAMINATION OR BY EVIDENCE OF HAVING COMPLETED APPROVED TRAINING.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	NO
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS:

(LAW)

1. PERSON
2. PESTICIDES
3. SPRAYING OR DUSTING OPERATIONS FOR HIRE

(REGULATION)

1. APPROVED AGENCY
2. AUTHORIZED AGENT
3. COMMISSIONER
4. EQUIPMENT
5. RESTRICTED USE PESTICIDE

FINANCIAL RESPONSIBILITY: NOT SPECIFIED IN ACT.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT IS A MISDEMEANOR. LICENSES MAY BE DENIED, SUSPENDED OR REVOKED AFTER NOTICE AND A HEARING FOR ANY VIOLATION OF THE ACT.

RELEVANT LAWS:

MINNESOTA ECONOMIC POISONS AND DEVICES LAW (REGISTRATION LAW)
(MINN. STAT., § 24.069 TO 24.077, 1971)

STRUCTURAL PEST CONTROL
(MINN. STAT., § 18A.01 TO 18A.11, 1971)

INTERSTATE PEST CONTROL COMPACT
(MINN. STAT., § 18.62 TO 18.71, 1969)

"HAZARDOUS SUBSTANCES LABELING ACT"
(MINN. STAT., § 24.32 TO 24.42, 1962)

MINNESOTA

TITLE: STRUCTURAL PEST CONTROL
(MINN. STAT.; § 18A.01 TO 18A.11, 1971)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN STRUCTURAL PEST CONTROL FOR HIRE UNLESS LICENSED BY COMMISSIONER OF AGRICULTURE; AND "COMPANIES" (BUSINESS ENTITIES) TO BE LICENSED BY THE COMMISSIONER, OR BY POLITICAL SUBDIVISIONS OF THE STATE AND REGISTERED WITH THE COMMISSIONER.

EXEMPTIONS: PERSONS WORKING ON THEIR OWN PROPERTY, PROVIDED THEY ARE OTHERWISE IN COMPLIANCE WITH THE ACT; AND STATE, FEDERAL AND LOCAL AGENCIES, INCLUDING THE METROPOLITAN MOSQUITO CONTROL DISTRICT, IN THE SCOPE OF THEIR EMPLOYMENT.

CERTIFICATION OR LICENSING:

CATEGORIES

1. FUMIGATOR
2. JOURNEYMAN STRUCTURAL PEST CONTROL OPERATOR
3. MASTER STRUCTURAL PEST CONTROL OPERATOR
4. STRUCTURAL PEST CONTROL OPERATOR'S APPRENTICE

QUALIFICATIONS ADEQUATE TRAINING, EXPERIENCE, TECHNICAL AND WORKING KNOWLEDGE, FAMILIARITY WITH TOXIC EFFECTS OF PESTICIDES, AND KNOWLEDGE OF PESTICIDES, AND KNOWLEDGE OF PESTICIDE LAWS AND REGULATIONS.

APPLICATION IN WRITING, ON FORMS PROVIDED BY COMMISSIONER.

EXAMINATION ORAL OR WRITTEN, OR BOTH ORAL AND WRITTEN AND A PRACTICAL DEMONSTRATION MAY BE REQUIRED. FREQUENCY OF EXAMINATIONS NOT SPECIFIED IN LAW OR REGULATION. APPLICANT NOTIFIED OF TIME AND DATE BY COMMISSIONER. INDIVIDUALS STEADILY EMPLOYED IN STRUCTURAL PEST CONTROL WORK FOR ONE YEAR PRIOR TO JANUARY 1, 1970, (EFFECTIVE DATE OF THIS ACT) EXEMPT FROM INITIAL EXAMINATION.

FEES

APPLICATION (TO TAKE EXAMINATION)	$ NONE
EXAMINATION FEE	NONE
LICENSE	5.00
REGISTRATION WITH COMMISSIONER:	
A. APPLICANT WITH A BUSINESS LICENSE FROM A POLITICAL SUBDIVISION	10.00
B. APPLICANT WITHOUT A BUSINESS LICENSE FROM A POLITICAL SUBDIVISION	50.00
C. EMPLOYEE REGISTRATION - ORIGINAL	5.00
D. EMPLOYEE REGISTRATION - RENEWAL	3.00
DELINQUENT PAYMENT FEES (PENALTY)	50%
DELINQUENCY BEYOND THREE MONTHS	AS FOR NEW

ISSUANCE UPON SUCCESSFUL COMPLETION OF EXAMINATION.

RENEWAL RENEWAL OF MASTER OR JOURNEYMAN LICENSE SUBJECT TO LICENSEE ATTENDING AN ANNUAL PROGRAM OF CONTINUING EDUCATION, APPROVED BY COMMISSIONER.

NONRESIDENTS NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT USAGE	YES

ENTER AND INSPECT PROPERTY	YES	COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RECORDS/REPORTS KEEP TWO YEARS	YES
OPEN FOR INSPECTION	YES	SUBMIT COPIES	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE

ADVISORY COMMITTEE: "THERE IS HEREBY CREATED A MINNESOTA STRUCTURAL PEST CONTROL ADVISORY COMMITTEE ... (TO ADVISE THE COMMISSIONER) ... OF NOT MORE THAN 13 MEMBERS APPOINTED BY THE COMMISSIONER ... THREE REPRESENTING STATE AND MUNICIPAL HEALTH DEPARTMENTS; THREE LICENSEES (ONE DESIGNATED BY THE MINNESOTA PEST CONTROL ASSOCIATION); AT LEAST ONE REPRESENTING THE FOOD INDUSTRY; AND AT LEAST ONE REPRESENTATIVE OF THE MINNESOTA DEPARTMENT OF AGRICULTURE ... THE COMMISSIONER (OR DESIGNEE) SERVES AS EX OFFICIO MEMBER AND CHAIRMAN ... MEMBERS SERVE WITHOUT COMPENSATION."

DEFINITIONS:

(LAW)

1. APPROVED AGENCY
2. COMMISSIONER (OF AGRICULTURE)
3. PERSON
4. PEST
5. STRUCTURAL PEST CONTROL
6. STRUCTURE

(REGULATION)

1. ACT
2. APPROVED AGENCY
3. DEVICE
4. ECONOMIC
5. FUMIGANT
6. FUMIGATION
7. FUMIGATION VAULT
8. FUMIGATOR
9. JOURNEYMAN STRUCTURAL PEST CONTROL OPERATOR

10. MASTER STRUCTURAL
    PEST CONTROL OPERATOR
11. POLLUTION
12. PROOF OF FINANCIAL
    RESPONSIBILITY
13. REGISTERED APPROVED USES
14. STRUCTURAL PEST CONTROL:
    A. BOND
    B. COMPANY
    C. LIABILITY INSURANCE POLICY
    D. OPERATOR'S APPRENTICE,
       TRAINEE, OR ASSISTANT

FINANCIAL RESPONSIBILITY: (LAW) IN SUCH AMOUNTS AS THE COMMISSIONER MAY REQUIRE

(REGULATION) LIABILITY INSURANCE:

BODILY INJURY (ONE PERSON)	$ 100,000.00
BODILY INJURY (TWO OR MORE PERSONS)	300,000.00
PROPERTY DAMAGE (ONE OCCURRENCE)	10,000.00

OR:
STRUCTURAL PEST CONTROL BOND CERTIFYING PROOF OF LICENSEES ABILITY TO MEET ALL FINANCIAL RESPONSIBILITIES.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATION CONSTITUTES A MISDEMEANOR SUBJECT TO PUNISHMENT AS PRESCRIBED BY LAW.

RELEVANT LAWS: MINNESOTA SPRAYING AND DUSTING LAW
(MINN. STAT., § 18.031 TO 18.036, 1971)

MINNESOTA ECONOMIC POISONS AND DEVICES LAW (REGISTRATION LAW)
(MINN. STAT., § 24.069 TO 24.077, 1971)

MISSISSIPPI

TITLE:	APPLICATION OF HORMONE-TYPE HERBICIDES BY AIRCRAFT (MISS. CODE ANN., § 69.21-1 TO 69.21-27, (1972)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE APPLICATION OF HORMONE-TYPE HERBICIDES BY AIRCRAFT UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE AND COMMERCE THROUGH HIS AGENT, THE STATE ENTOMOLOGIST.
EXEMPTIONS:	APPLICATION OF HERBICIDES BY MEANS OTHER THAN AIRCRAFT. (STATE AND FEDERAL AGENCIES EXEMPT BY REGULATION.)
CERTIFICATION OR LICENSING:	
CATEGORIES	WEED CONTROL IN RICE WEED CONTROL IN SOYBEANS WEED AND BRUSH CONTROL ON R-O-W WEED AND BRUSH CONTROL ON PASTURE, RANGELAND, SMALL GRAINS AND OTHER FARM CROPS, EXCEPT RICE GENERAL APPLICATION OF HORMONE TYPE HERBICIDES
QUALIFICATIONS	ADEQUATE KNOWLEDGE CONCERNING PROPER USE AND AERIAL APPLICATION OF HERBICIDES.
APPLICATION	ON FORM PROVIDED BY THE COMMISSIONER TO INCLUDE INFORMATION ON APPLICANT'S QUALIFICATIONS AND PROPOSED OPERATIONS.
EXAMINATION	AN EXAMINATION IS REQUIRED.
FEES	NOT SPECIFIED IN ACT; NONE.
ISSUANCE	IF APPLICANT FOUND QUALIFIED, LICENSE ISSUED FOR PERIOD OF TIME PRESCRIBED BY REGULATION (BY REGULATION, LICENSES EXPIRE DECEMBER 31 OR BEFORE IF SO REQUESTED).
RENEWAL	
NONRESIDENTS	RECIPROCITY PROVIDED.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PLOPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	NO	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOF REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES

REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	YES
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: ADVISORY BOARD (DIVISION OF PLANT INDUSTRY ADVISORY BOARD).

DEFINITIONS:

1. COMMISSIONER
2. HORMONE-TYPE HERBICIDES

FINANCIAL RESPONSIBILITY: FIDELITY BOND, INSURANCE POLICY, "OR OTHER SECURITY SATISFACTORY TO THE COMMISSIONER" REQUIRED IN AN AMOUNT NOT LESS THAN $10,000 FOR EACH AIRCRAFT. (REGULATIONS REQUIRE $10,000, EXCEPT APPLICATION OF INVERT EMULSIONS WHICH REQUIRES $20,000.)

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $500 FOR EACH OFFENSE.

RELEVANT LAWS:

"MISSISSIPPI PESTICIDE LAW OF 1975" (REGISTRATION LAW)
(SESSION LAWS, 1975; CHAPT. 319, PAGE 65)

"AGRICULTURAL AVIATION LICENSING ACT OF 1966"
(MISS. CODE ANN., § 69-21-101 TO 69-21-125, 1972)

"MISSISSIPPI PEST CONTROL LAW" (PROFESSIONAL SERVICES)
(MISS. CODE ANN., § 69-19-1 TO 69-19-11, SUPP. 1974)

"MISSISSIPPI PESTICIDE APPLICATION ACT OF 1975"
(SESSION LAWS, 1975; CHAPT. 318, PAGE 63)

MISSISSIPPI

TITLE: MISSISSIPPI PEST CONTROL LAW (PROFESSIONAL SERVICES) (MISS. CODE ANN., § 69.19-1 TO 69.19-11, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN:

1. ENTOMOLOGICAL WORK
2. PATHOLOGICAL WORK
3. HORTICULTURAL OR FLORICULTURAL WORK
4. TREE SURGERY WORK
5. WEED CONTROL WORK

AS A PROFESSION OR TO SOLICIT BUSINESS IN SUCH FIELDS, UNLESS LICENSED BY THE COMMISSIONER.

EXEMPTIONS: " ... ANY PERSON EMPLOYED BY THE OWNERS OR OTHERS IN POSSESSION OF PROPERTY ... UNDER SUPERVISION IN GRAFTING, SPRAYING, DUSTING COTTON ... (ETC.)."

CERTIFICATION OR LICENSING:

CATEGORIES

A. PEST CONTROL OPERATORS, TREE SURGEONS, LANDSCAPE DESIGNERS:

TERMITE AND OTHER STURCTURAL PESTS
ORCHARD PESTS
HOME, INDUSTRY, AND BUSINESS PESTS
ORNAMENTAL PLANT PESTS
DOMESTIC ANIMAL PESTS
TREE SURGERY
HORTICULTURAL AND FLORICULTURAL WORK

B. ENTOMOLOGICAL, PLANT PATHOLOGICAL, AND WEED CONTROL CONSULTANTS:

ENTOMOLOGICAL CONSULTANT
- AGRICULTURAL ENTOMOLOGY
- AGRICULTURAL ENTOMOLOGY - CROPS
- FOREST ENTOMOLOGY
- HOUSEHOLD, STRUCTURAL AND INDUSTRIAL ENTOMOLOGY
- MEDICAL, VETERINARY AND PUBLIC HEALTH ENTOMOLOGY
- ORCHARD AND NUT TREE ENTOMOLOGY
- ORNAMENTAL ENTOMOLOGY

PLANT PATHOLOGICAL CONSULTANT
- FOREST PLANT PATHOLOGY - AGRICULTURAL PLANT PATHOLOGY
- ORCHARD AND NUT TREE PLANT PATHOLOGY
- ORNAMENTAL AND SHADE TREE PLANT PATHOLOGY

WEED CONTROL CONSULTANTS
- AGRICULTURAL WEED CONTROL
- AQUATIC WEED CONTROL
- FOREST AND R-O-W WEED CONTROL
- ORNAMENTAL AND TURF WEED CONTROL - INDUSTRIAL AND COMMERCIAL SITES

QUALIFICATIONS COLLEGE GRADUATE, WITH 15 HOURS IN FIELD OF EXAMINATION; OR TWO YEARS OF COLLEGE, WITH SPECIAL TRAINING IN FIELD OF EXAMINATION; OR HIGH SCHOOL GRADUATE WITH 4 YEARS EXPERIENCE WITH LICENSED OPERATOR (WITHIN LAST 6 YEARS). PROVISION FOR SPECIAL CASES. CONSULTANTS REQUIRED TO HAVE PH.D. OR MASTERS; OR BACHELOR DEGREE PLUS 1 YEAR EXPERIENCE OR DEGREE PLUS 15 HOURS TRAINING IN FIELD, PLUS EXPERIENCE.

APPLICATION	IN WRITING ON FORM PROVIDED BY THE BOARD, PLUS STATEMENTS AS TO TRAINING AND EXPERIENCE.
EXAMINATION	ORAL AND WRITTEN.
FEES	"NO FEE SHALL BE REQUIRED FOR THE LICENSE."
ISSUANCE	UPON PASSING EXAMINATION AND FURNISHING INFORMATION REGARDING BUSINESS PRACTICES.
RENEWAL	LICENSES VALID FOR INDEFINITE PERIOD; HOWEVER CONSULTANTS LICENSES EXPIRE ANNUALLY, DECEMBER 31.
NONRESIDENTS	PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	YES
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. ENTOMOLOGICAL WORK
2. HORTICULTURAL AND FLORICULTURAL WORK
3. PERSON
4. PLANT PATHOLOGICAL WORK
5. TREE SURGERY WORK
6. WEED CONTROL WORK

FINANCIAL RESPONSIBILITY: FIDELITY BOND REQUIRED; NOT TO EXCEED $2,500.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $500 OR IMPRISONMENT FOR NOT MORE THAN 6 MONTHS OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

MISSISSIPPI PESTICIDE LAW OF 1975 (REGISTRATION LAW) (SESSION LAWS, 1975; CHAPT. 319, PAGE 65)

AGRICULTURAL AVIATION LICENSING ACT OF 1966 (MISS CODE ANN., § 69-21-101 TO 69-21-125, 1972)

APPLICATION OF HORMONE TYPE HERBICIDES BY AIRCRAFT (MISS. CODE ANN., § 69-21-1 TO 69-21-27, 1972)

MISSISSIPPI PESTICIDE APPLICATION ACT OF 1975 (SESSION LAWS, 1975; CHAPT. 318, PAGE 63)

MISSISSIPPI

TITLE: "MISSISSIPPI PESTICIDE APPLICATION ACT OF 1975" (MISS. CODE ANN., § 69-23-101 TO 69-23-133, 1975)

PROHIBITED ACTS: UNLAWFUL TO USE, OR ENGAGE IN THE BUSINESS OF APPLYING RESTRICTED USE PESTICIDES UNLESS CERTIFIED OR LICENSED BY THE COMMISSIONER OF AGRICULTURE AND COMMERCE (AFTER OCTOBER 21, 1976).

EXEMPTIONS: PERSONS SUBJECT TO LICENSING UNDER OTHER PESTICIDE LAWS OF THE STATE, AND "SUCH OTHER PERSONS AS MAY BE EXEMPTED BY FEDERAL REGULATIONS."

CERTIFICATION OR LICENSING:

CATEGORIES	COMMERCIAL APPLICATOR PRIVATE APPLICATOR PUBLIC APPLICATOR OTHER CATEGORIES AUTHORIZED; 10 HAVE BEEN ESTABLISHED AS IN FEDERAL REGULATIONS.
QUALIFICATIONS	ADEQUATE KNOWLEDGE WITH RESPECT TO THE USE AND APPLICATION OF PESTICIDES.
APPLICATION	ON FORMS PROVIDED BY THE COMMISSIONER.
EXAMINATION	MUST DEMONSTRATE COMPETENCY THROUGH ORAL OR WRITTEN EXAMINATIONS OR OTHER EQUIVALENT PROCEDURES.
FEES	NONE.
ISSUANCE	UPON BEING FOUND QUALIFIED. EXPIRATION DATE TO BE ESTABLISHED BY REGULATION.
RENEWAL	TO BE ESTABLISHED BY REGULATION.
NONRESIDENTS	PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	YES

CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	YES
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "THE COMMISSIONER SHALL APPOINT AN ADVISORY COMMITTEE, AND BY REGULATION ESTABLISH THE COMPOSITION OF THE COMMITTEE TO INCLUDE REPRESENTATIVES FROM AGRICULTURE, AGRIBUSINESS, AND RELATED INDUSTRIES ... TO ADVISE AND ASSIST ... IN DEVELOPING REGULATIONS AND PLANS ... "

DEFINITIONS:

1. COMMISSIONER
2. CERTIFICATION
3. CERTIFIED APPLICATOR
4. COMMERCIAL APPLICATOR
5. DIVISION
6. EPA
7. FIFRA
8. LICENSE
9. PERSON
10. PEST
11. PESTICIDE
12. PRIVATE APPLICATOR
13. PUBLIC APPLICATOR
14. RESTRICTED USE PESTICIDE
15. STATE RESTRICTED USE PESTICIDE
16. UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR
17. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT

DEFINITIONS IN OTHER PESTICIDE LAWS OF MISSISSIPPI INCORPORATED IN THIS ACT BY REFERENCE.

FINANCIAL RESPONSIBILITY: NONE.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $500 OR BY IMPRISONMENT NOT TO EXCEED 6 MONTHS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"MISSISSIPPI PESTICIDE LAW OF 1975" (REGISTRATION LAW) (SESSION LAWS, 1975; CHAPT. 319, PAGE 63)

(THIS WAS FORMERLY THE "MISSISSIPPI ECONOMIC POISON ACT OF 1950")

"AGRICULTURAL AVIATION LICENSING ACT OF 1966" (MISS. CODE ANN., § 69-21-101 TO § 69-21-125, 1972)

"APPLICATION OF HORMONE TYPE HERBICIDES BY AIRCRAFT" (MISS. CODE ANN., § 69A-21-1 TO 69-21-27, 1972)

"MISSISSIPPI PEST CONTROL LAW" (PROFESSIONAL SERVICES) (MISS. CODE ANN., § 69-19-1 TO 69-19-11, SUPP. 1974)

MISSISSIPPI

TITLE: "AGRICULTURAL AVIATION LICENSING LAW OF 1966" (MISS. CODE ANN., § 69.21-101 TO 69.21-135, 1972)

PROHIBITED ACTS: UNLAWFUL TO " ... ACT, OPERATE OR CONDUCT BUSINESS AS AN APPLICATOR, OR TO ENGAGE IN THE CUSTOM APPLICATION OF PESTICIDES BY AIR, UNLESS ... LICENSED ... BY THE BOARD (BOARD OF AGRICULTURAL AVIATION) ... "

EXEMPTIONS: JURISDICTION OF THE AERIAL APPLICATION OF HORMONE-TYPE HERBICIDES (REGULATED BY THE STATE ENTOMOLOGIST, ACTING AS THE AGENT FOR THE COMMISSIONER OF AGRICULTURE AND COMMERCE; SEE MISS. CODE ANN., § 5000-21 THROUGH 5000-31; APPLICATION OF HORMONE-TYPE HERBICIDES BY AIRCRAFT (1957); HOWEVER, AERIAL APPLICATORS OF HORMONE-TYPE HERBICIDES ARE REQUIRED TO BE LICENSED UNDER BOTH AERIAL APPLICATOR LAWS.

CERTIFICATION OR LICENSING:

CATEGORIES: REGISTERED AERIAL APPLICATOR.

QUALIFICATIONS: NOT SPECIFIED IN ACT (SEE "APPLICATION"); " ... THE BOARD SHALL SET PROFESSIONAL STANDARDS ... "

APPLICATION: " ... ON A FORM ... PRESCRIBED BY THE BOARD (CONTAINING) INFORMATION REGARDING APPLICANTS' QUALIFICATIONS AND PROPOSED OPERATIONS ... "

EXAMINATION: EXAMINATION TO DETERMINE APPLICANTS ABILITY AND KNOWLEDGE.

FEES: " ... UP TO $50 FOR EACH AIRCRAFT ... "

ISSUANCE: APPLICANTS MUST SUBMIT PROOF OF PAYMENT OF ALL AD VALOREM OR OTHER TAXES APPLICABLE TO EQUIPMENT. LICENSES EXPIRE MARCH 31 AND MAY BE SUSPENDED, CANCELLED OR REVOKED FOR CAUSE, AFTER AN OPPORTUNITY FOR A HEARING.

RENEWAL: BY APPLICATION, ON OR BEFORE MARCH 31.

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	NO	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	NO	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISOR	NO	CERTIFIED SUPERVISE NON CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: (BOARD OF AGRICULTURAL AVIATION)

"THERE IS HEREBY CREATED A STATE BOARD OF AGRICULTURAL AVIATION COMPOSED OF 5 MEMBERS AS FOLLOWS: 1 MEMBER BEING THE EXECUTIVE OFFICER OF THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE; 4 LICENSED PILOTS TO BE APPOINTED BY THE GOVERNOR FROM A LIST OF 8 AGRICULTURAL AERIAL APPLICATORS SUBMITTED TO THE GOVERNOR BY THE MISSISSIPPI AERIAL APPLICATORS ASSOCIATION. THE TERM OF OFFICE OF ONE BOARD MEMBER SHALL BE 1 YEAR; SECOND BOARD MEMBER 2 YEARS; THIRD BOARD MEMBER 3 YEARS; AND THE TERM OF OFFICE OF THE FOURTH BOARD MEMBER 4 YEARS. AFTER THE INITIAL APPOINTMENT, SUCCEEDING BOARD MEMBERS SHALL SERVE A STAGGERED 4 YEAR TERM OF OFFICE. EACH BOARD MEMBER SHALL SERVE UNTIL HIS SUCCESSOR IS APPOINTED. THE EXECUTIVE OFFICER OF THE DIVISION OF PLANT INDUSTRY, MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE, SHALL CONTINUE TO SERVE EACH TERM BY VIRTUE OF HIS OFFICE.

"THE MEMBERSHIP OF THE BOARD SHALL ELECT A CHAIRMAN AT THEIR ORGANIZATIONAL MEETING WHO SHALL BE ONE OF THE 4 AERIAL APPLICATORS WHO SERVE ON THE BOARD.

"VACANCIES ON THE SAID BOARD SHALL BE FILLED AS HEREIN STATED BY APPOINTMENT OF THE GOVERNOR.

"A QUORUM NECESSARY TO CONDUCT BUSINESS SHALL BE A MAJORITY OF THE 5 BOARD MEMBERS.

"EACH MEMBER OF THE AGRICULTURAL AVIATION BOARD SHALL RECEIVE A PER DIEM OF $15 AND ACTUAL EXPENSES AS PROVIDED BY LAW INCIDENTAL TO ATTENDING MEETINGS OF SAID BOARD. SAID BOARD SHALL NOT BE PAID FOR MORE THAN 15 MEETINGS IN ANY ONE CALENDAR YEAR."

(ADVISORY COMMITTEE REGULATION 11)

AN ADVISORY COMMITTEE SHALL BE APPOINTED ANNUALLY CONSISTING OF ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING:

A. MISSISSIPPI FARM BUREAU FEDERATION
B. THE DELTA COUNCIL
C. COOPERATIVE EXTENSION SERVICE
D. STATE BOARD OF HEALTH
E. MISSISSIPPI AERONAUTICS COMMISSION
F. DELTA BRANCH EXPERIMENT STATION

DEFINITIONS:

1. AERIAL APPLICATION
2. AIRCRAFT
3. APPLICATOR
4. BOARD
5. DEFOLIANT
6. DESICCANT
7. INSECT
8. PERSON
9. PESTICIDE

FINANCIAL RESPONSIBILITY:

SURETY BOND OR LIABILITY INSURANCE POLICY IN AN AMOUNT NOT LESS THAN $5,000; $10,000-$20,000 ESTABLISHED BY REGULATIONS.

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100 OR MORE THAN $500; OR IMPRISONMENT IN COUNTY JAIL FOR NOT MORE THAN 6 MONTHS; OR BOTH FINE AND IMPRISONMENT. BOARD MAY ALSO SEEK INJUNCTIVE RELIEF.

RELEVANT LAWS:

MISSISSIPPI PESTICIDE LAW OF 1975 (REGISTRATION LAW)
(MISS. CODE ANN., § 69-23-1 TO 69-23-27, 1975)

APPLICATION OF HORMONE TYPE HERBICIDE BY AIRCRAFT
(MISS. CODE., § 69-21-1 TO 69-21-27, 1972)

MISSISSIPPI PEST CONTROL LAW (PROFESSIONAL SERVICES)
(MISS. CODE ANN., § 69-19-1 TO 69-19-11, SUPP. 1974)

MISSISSIPPI PESTICIDE APPLICATION ACT OF 1975
(MISS. CODE ANN., § 69-23-101 TO 69-23-133, 1975)

MISSOURI

TITLE: "MISSOURI PESTICIDE ACT OF 1974" (SESSION LAWS, 1974, PAGE 137; SENATE BILL NO. 431)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES TO THE LAND OF ANOTHER UNLESS CERTIFIED AND LICENSED BY THE COMMISSIONER OF AGRICULTURE; AND FOR PRIVATE APPLICATORS TO USE RESTRICTED USE PESTICIDES UNLESS CERTIFIED. UNLAWFUL TO BE A PESTICIDE DEALER UNLESS LICENSED.

* EXEMPTIONS: VETERINARIANS AND PHYSICIANS IN THEIR MEDICAL PRACTICE, AND RESEARCH PERSONNEL APPLYING PESTICIDES TO BONAFIDE EXPERIMENTAL PLOTS.

* CERTIFICATION OR LICENSING:

CATEGORIES: STRUCTURAL PEST CONTROL, ORNAMENTAL OR AGRICULTURAL PESTICIDE APPLICATORS, RIGHT-OF-WAY PESTICIDE APPLICATORS, AND OTHERS AS NECESSARY. ADDITIONAL CLASSES MAY BE AERIAL, GROUND, OR MANUAL.

QUALIFICATIONS: PRESCRIBED BY REGULATIONS. MUST HAVE KNOWLEDGE OF STANDARDS PRESCRIBED FOR CERTIFICATION OF APPLICATORS.

APPLICATION: ON FORMS PROVIDED BY THE COMMISSIONER.

EXAMINATION: MUST PASS AN EXAMINATION TO DEMONSTRATE KNOWLEDGE OF PRESCRIBED STANDARDS.

FEES:

CERTIFIED COMMERCIAL APPLICATORS		$ 25.00
PRIVATE APPLICATORS		NONE
DEALERS		10.00
DELINQUENT RENEWAL	PLUS	25%

ISSUANCE: UPON BEING FOUND QUALIFIED, PLUS EVIDENCE OF FINANCIAL RESPONSIBILITY. EXPIRE ONE YEAR FROM DATE OF ISSUE. PRIVATE APPLICATORS WILL BE CERTIFIED AFTER ATTENDING A COURSE OF INSTRUCTION, WITH SUCH CERTIFICATION VALID FOR TWO YEARS.

RENEWAL: SUBJECT TO DEREXAMINATION IF ADDITIONAL KNOWLEDGE SO REQUIRES.

NONRESIDENTS: PROVISIONS FOR RECIPROCITY.

* AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	NO	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	YES

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. ANIMAL
2. APPLICATOR OR OPERATOR
3. BENEFICIAL INSECT
4. CERTIFIED APPLICATOR
5. CERTIFIED COMMERCIAL APPLICATOR
6. CERTIFIED PRIVATE OPERATOR
7. DEFOLIANT
8. DESICCANT
9. DEVICE
10. ENVIRONMENT
11. EQUIPMENT
12. FUNGUS
13. INSECT
14. LAND
15. NEMATODE
16. PERMIT
17. PERSON
18. PEST
19. PESTICIDE
20. PESTICIDE DEALER
21. PLANT REGULATOR
22. PRIVATE APPLICATOR
23. PUBLIC OPERATOR
24. RESTRICTED USE PESTICIDE SALE
25. SNAILS OR SLUGS
26. UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR
27. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
28. WEED
29. WILDLIFE

FINANCIAL RESPONSIBILITY: SURETY BOND OR LIABILITY INSURANCE OF NOT LESS THAN $25,000 PROPERTY DAMAGE AND $25,000 BODILY INJURY. DEDUCTIBLE CLAUSE OF $1,000 PERMITTED.

PENALTIES:

CIVIL: NONE.

CRIMINAL: OPERATING WITHOUT A VALID LICENSE (BOTH COMMERCIAL AND DEALER) AND SELLING RESTRICTED USE PESTICIDES TO NON-CERTIFIED PERSONS CONSTITUTES A MISDEMEANOR SUBJECT TO PUNISHMENT AS PROVIDED BY LAW. MAJOR SECTIONS OF ACT BECOME EFFECTIVE OCTOBER 21, 1976.

RELEVANT LAWS: "MISSOURI ECONOMIC POISON LAW OF 1955"
(MO. REV. STAT., § 263.270 TO 263.380, 19[illegible])

MONTANA

TITLE:	"MONTANA PESTICIDES ACT"* (MONT. REV. CODES ANN., § 27-213 TO 27-245,SUPP. 1974)
PROHIBITED ACTS:	UNLAWFUL: 1. TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES FOR ANOTHER UNLESS LICENSED BY THE DEPARTMENT OF AGRICULTURE 2. FOR FARM APPLICATORS TO APPLY A RESTRICTED USE PESTICIDE WITHOUT A PERMIT FROM THE DEPARTMENT OF AGRICULTURE. 3. (FOR DEALERS) TO SELL OR DELIVER PESTICIDES WITHOUT FIRST OBTAINING DEALER'S LICENSE, AND 4. TO PURCHASE AND SELL PESTICIDES AT RETAIL UNLESS LICENSED BY THE DEPARTMENT OF AGRICULTURE.
EXEMPTIONS:	FARM APPLICATORS APPLYING NONRESTRICTED PESTICIDES ON THEIR OWN OR THEIR NEIGHBORS' LAND. JURISDICTIONAL HEALTH OFFICERS, THE STATE VETERINARIAN, AND GOVERNMENTAL RESEARCH PERSONNEL APPLYING PESTICIDES TO EXPERIMENTAL AREAS.
CERTIFICATION OR LICENSING:	
CATEGORIES	COMMERCIAL APPLICATOR; COMMERCIAL OPERATOR; FARM APPLICATOR; PUBLIC UTILITY APPLICATOR
QUALIFICATIONS	APPLICANTS MUST POSSESS "ADEQUATE KNOWLEDGE." AERIAL APPLICATORS MUST MEET ALL REQUIREMENTS OF FEDERAL AND STATE AERONAUTICAL AGENCIES.
APPLICATION	FORM AND CONTENT MAY BE ESTABLISHED BY REGULATION. ANNUAL APPLICATION REQUIRED.
EXAMINATION	WRITTEN EXAMINATION REQUIRED OF INITIAL APPLICANTS FOR COMMERCIAL APPLICATOR AND OPERATOR LICENSE AND FARM APPLICATORS DESIRING TO APPLY RESTRICTED USE PESTICIDES. DEALERS ARE REQUIRED TO TAKE A "REASONABLE EXAMINATION."
FEES	COMMERCIAL APPLICATORS, DEALERS, AND RETAIL OUTLETS (MINIMUM), $10. COMMERCIAL OPERATOR'S FEES TO BE ESTABLISHED BY REGULATION. GOVERNMENT AGENCIES EXEMPT FROM FEE.
ISSUANCE	CALENDAR YEAR LICENSES, ANNUAL SPECIAL USE PERMITS ISSUED TO FARM APPLICATORS UPON PASSING WRITTEN EXAMINATION. LICENSES AND PERMITS SUBJECT TO REVOCATION FOR CAUSE.
RENEWAL	RENEWABLE UPON APPLICATION, WITHOUT EXAMINATION.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY. NONRESIDENTS WITHOUT RESIDENT AGENT REQUIRED TO AUTHORIZE SECRETARY OF STATE TO ACCEPT SERVICE OF LEGAL PROCESS.

*PORTIONS OF THE ACT RELATING TO THE REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD:

ADVISORY COUNCIL. "THE DIRECTOR OF AGRICULTURE MAY APPOINT ADVISORY COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS ON SPECIAL PESTICIDE PROBLEMS IN THE STATE. THE ADVISORY COUNCIL SHALL CONSIST OF INDIVIDUALS REPRESENTING, EQUALLY, CONTROLLED INDUSTRY, AGRICULTURE, HEALTH AND WILDLIFE. GOVERNMENT PERSONNEL, UNIVERSITY PERSONNEL NOT INCLUDED, MAY NOT BE REPRESENTED ON THE ADVISORY COUNCIL. GOVERNMENT PERSONNEL SHALL MEET WITH THE COUNCIL IN AN ADVISORY CAPACITY WHEN REQUESTED BY THE COUNCIL. THE COUNCIL MAY NOT EXCEED TWELVE (12) MEMBERS. THE DIRECTOR OF AGRICULTURE SHALL ESTABLISH THE TIME PERIOD IN WHICH THE COUNCIL EXIST. THE TIME PERIOD SHALL NOT EXCEED 2 YEARS. THE DEPARTMENT OF AGRICULTURE SHALL PROVIDE THE NECESSARY ADMINISTRATIVE, SECRETARIAL, AND ANY OTHER ESSENTIAL ITEMS TO THE COUNCIL.

"EACH MEMBER OF THE COUNCIL SHALL RECEIVE AS COMPENSATION FOR HIS SERVICES THE SUM OF TWENTY-FIVE ($25) PER DAY FOR EACH DAY ACTUALLY EXPENDED IN THE PERFORMANCE OF HIS DUTIES AND SHALL BE REIMBURSED FOR ACTUAL PER DIEM AND NECESSARY TRAVELING EXPENSES AS PROVIDED BY STATE LAW.

"THE COUNCIL MAY REQUEST THAT THE DEPARTMENT OF AGRICULTURE HOLD A PUBLIC HEARING AS OUTLINED IN SECTION 27-235, TO ASSIST IT IN GATHERING FACTUAL DATA AND INFORMATION ON THE SPECIAL PROBLEM(S) ASSIGNED TO IT."

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADULTERATED
3. ANTIDOTE
4. APPLICATOR
5. BENEFICIAL INSECTS
6. COMMERCIAL APPLICATOR
7. COMMERCIAL OPERATOR
8. CROP
9. DEALER
10. DEFOLIANT
11. DESICCANT
12. DEVICE
13. ENVIRONMENT
14. EQUIPMENT
15. FARM APPLICATOR
16. FUNGI
17. FUNGICIDE
18. HERBICIDE
19. INERT INGREDIENT
20. INGREDIENT STATEMENT
21. INSECT
22. INSECTICIDE
23. LABEL
24. LABELING
25. MISBRANDED
26. NEMATOCIDE
27. NEMATODES
28. PERSON
29. PEST
30. PESTICIDE
31. PLANT REGULATOR
32. PUBLIC UTILITY APPLICATOR
33. REGISTRANT
34. RESTRICTED USE PESTICIDE
35. RETAILER
36. WEED

FINANCIAL RESPONSIBILITY:

(LIABILITY INSURANCE, SURETY BOND, OR CASH)

AERIAL APPLICATORS	$ 1,500.00
AERIAL APPLICATORS WITH (SPECIFIED) ACCIDENT RECORDS	3,000.00
OTHER APPLICATORS	500.00
OTHER APPLICATORS WITH (SPECIFIED) ACCIDENT RECORDS	1,000.00
ANY APPLICATOR OF RESTRICTED USE PESTICIDES	10,000.00
SEED TREATMENT APPLICATORS	EXEMPT
DEDUCTIBLE CLAUSE:	
AERIAL APPLICATORS	500.00
OTHER APPLICATORS	250.00

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF ACT, REGULATIONS, OR OBSTRUCTING DUTIES OF COMMISSIONER IS A MISDEMEANOR; INJUNCTIVE RELIEF PERMISSIBLE; EMPLOYEES REVEALING FORMULAS OBTAINED IN SCOPE OF EMPLOYMENT SUBJECT TO $500 FINE OR YEAR IN JAIL, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"MONTANA PESTICIDES ACT" (1971)
(MONT. REV. CODES ANN., § 27-213 TO 27-245, SUPP. 1974)

THIS ONE ACT COVERS REGISTRATION, LABELING, AND USE AND APPLICATION OF PESTICIDES. SECTIONS ON USE AND APPLICATION ARE DIGESTED SUPRA. REPEALS THE MONTANA INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT OF 1947.

NEBRASKA

TITLE: AERONAUTICS (AERIAL APPLICATORS LAW)
(REISSUE REV. STAT. NEBR., § 3-126, 1962)

AUTHORIZES THE DEPARTMENT OF AERONAUTICS TO:

1. " ... ISSUE APPROPRIATE CERTIFICATES AUTHORIZING QUALIFIED INDIVIDUALS TO CONDUCT AERIAL PESTICIDE APPLICATION OPERATIONS ....

"THE APPLICANT, OR, ... EITHER THE PERSON EMPLOYED BY HIM IN DIRECT CHARGE ... OR THE PERSON EMPLOYED BY HIM AS CHIEF PILOT ... OR ALL PERSONS EMPLOYED BY HIM AS PILOT ... SHALL POSSESS THE FOLLOWING QUALIFICATIONS:

A. HOLD A VALID FEDERAL AVIATION ADMINISTRATION COMMERCIAL CERTIFICATE

B. HAVE A CURRENT MEDICAL CERTIFICATE

C. HAVE THREE HUNDRED FIFTY HOURS OF SOLO AND PILOT-IN-COMMAND LOGGED TIME

D. HAVE FIVE HOURS FLIGHT TRAINING IN SIMULATED AERIAL PESTICIDE APPLICATION CONDUCTED, AND CERTIFIED TO, BY AN AERIAL PESTICIDE APPLICATOR CERTIFICATE HOLDER, AND

E. HAVE ONE SEASON'S ACTUAL EXPERIENCE IN AERIAL PESTICIDE APPLICATION WORK UNDER THE DIRECT SUPERVISION OF AN AERIAL PESTICIDE APPLICATOR CERTIFICATE HOLDER, DURING WHICH HE SHALL HAVE ACQUIRED A MINIMUM OF FORTY HOURS EXPERIENCE IN AERIAL PESTICIDE APPLICATION, EXCEPT THAT THE DEPARTMENT MAY ISSUE A CERTIFICATE TO AN APPLICANT WHO FAILS TO MEET THE REQUIREMENTS OF SUBDIVISIONS (D) AND (E) OF THIS SUBDIVISION IF, AFTER EXAMINATION BY THE DEPARTMENT, HE DEMONSTRATES THAT HE IS POSSESSED OF THE NECESSARY SKILLS.

"TO INSURE SAFETY, ADDITIONAL TRAINING AND QUALIFICATION CRITERIA FINANCIAL RESPONSIBILITY REQUIREMENTS, AND CERTIFICATE RENEWAL PROCEDURES SHALL BE AS PRESCRIBED BY RULES AND REGULATIONS OF THE DEPARTMENT OF AERONAUTICS.

2. " ... TEMPORARILY OR PERMANENTLY REVOKE ANY LICENSE OR CERTIFICATE OF REGISTRATION OF AN ... AERIAL PESTICIDE APPLICATOR, ... OR TO REFUSE TO ISSUE ANY SUCH LICENSE ... WHEN IT SHALL REASONABLY DETERMINE THAT ANY ... AERIAL PESTICIDE APPLICATOR ... IS NOT QUALIFIED, HAS WILLFULLY VIOLATED THE PROVISIONS OF SECTIONS 3-101 TO 3-154, THE RULES AND REGULATIONS PRESCRIBED PURSUANT THERETO, OR ANY ACT OF CONGRESS OR ANY RULE OR REGULATION PROMULGATED PURSUANT THERETO, IS ADDICTED TO THE USE OF NARCOTICS OR OTHER HABIT FORMING DRUG OR THE EXCESSIVE USE OF INTOXICATING LIQUOR, HAS MADE ANY FALSE STATEMENT IN AN APPLICATION FOR REGISTRATION OF A FEDERAL LICENSE CERTIFICATE OR PERMIT, OR HAS BEEN GUILTY OF OTHER CONDUCT, ACTS OR PRACTICES DANGEROUS TO THE PUBLIC SAFETY AND THE SAFETY OF THOSE ENGAGED IN AERONAUTICS ...."

RELEVANT LAWS:

ECONOMIC POISON DEVICES LAW
(REV. STAT. NEBR., § 2-2601 TO 2-2611, SUPP. 1974)

UNDER PROVISIONS OF THIS LAW "THE DIRECTOR MAY, WHENEVER HE DEEMS IT NECESSARY FOR PROTECTION OF PUBLIC HEALTH, AFTER PUBLIC HEARING, RESTRICT REGISTRATION OF CERTAIN ECONOMIC POISONS TO SPECIFIC USAGES BY PEST CONTROL PROFESSIONALS."

PEST CONTROL PROFESSIONALS ARE DEFINED AS " ... ANY PERSON WHO OPERATES PEST CONTROL EQUIPMENT, APPLIES ECONOMIC POISONS, OR BUYS AND SELLS ECONOMIC POISONS FOR A VALUABLE CONSIDERATION."

NEVADA

TITLE:	CUSTOM APPLICATION OF PESTICIDES (NEV. REV. STAT., § 555.260 TO 555.460, 1974)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES BY AIRCRAFT OR GROUND EQUIPMENT UNLESS LICENSED BY THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT OF AGRICULTURE. INCLUDES APPLICATION OF PESTICIDES TO STRUCTURES.
EXEMPTIONS:	GOVERNMENT RESEARCH PERSONNEL APPLYING PESTICIDES TO EXPERIMENTAL PLOTS; FARMERS APPLYING PESTICIDES WITH GROUND EQUIPMENT; PERSONS USING HAND-POWERED EQUIPMENT TO APPLY PESTICIDES INCIDENTAL TO YARD AND LAWN CARE, (BUT THE ABOVE PERSONS MAY BE REQUIRED TO OBTAIN A PERMIT TO USE A RESTRICTED USE PESTICIDE).
CERTIFICATION OR LICENSING:	
CATEGORIES	AERIAL APPLICATION (W/5 SUB-CLASSES) AGRICULTURAL PEST CONTROL (W/9 SUB-CLASSES) AQUATIC PEST CONTROL (W/4 SUB-CLASSES) FUMIGANT PEST CONTROL (W/4 SUB-CLASSES) URBAN AND STRUCTURAL PEST CONTROL (W/5 SUB-CLASSES)
QUALIFICATIONS	QUALIFICATIONS FOR TAKING EXAMINATION REQUIRE AGE OF MAJORITY, AND TWO YEARS OF PESTICIDE APPLICATION EXPERIENCE; OR SIX MONTHS OF EXPERIENCE AND 15 COLLEGE CREDIT HOURS IN BIOLOGICAL SCIENCE (WITH 5 HOURS IN FIELD OF LICENSING). AGENTS AND OPERATORS NOT REQUIRED TO HAVE ABOVE QUALIFICATIONS, BUT MUST BE EXAMINED AND LICENSED. QUALIFICATIONS FOR LICENSING REQUIRE PROOF OF FINANCIAL RESPONSIBILITY, BUSINESS INFORMATION, ETC.
APPLICATION	ON FORM SUPPLIED BY DIRECTOR PROVIDING INFORMATION ON APPLICANT'S QUALIFICATIONS, PROPOSED OPERATIONS AND OTHER RELEVANT MATTERS.
EXAMINATION	WRITTEN, BUT MAY ALSO INCLUDE ORAL AND DEMONSTRATION.

FEES

TESTING FEE, EACH PERSON, EACH EXAMINATION (WITH MAXIMUM OF $25 AND MINIMUM OF $10.)	$ 5.00
APPLICATION FOR A LICENSE (AFTER PASSING EXAM)	35.00
FEE FOR EACH LICENSED OPERATOR, AGENT OR PILOT EMPLOYED BY A LICENSED COMPANY	10.00
LATE RENEWAL PENALTY	5.00

FAILURE TO SUBMIT COMPLETED APPLICATION FORMS WITHIN 30 DAYS FORFEITS FEES PAID.

ISSUANCE	LICENSES ISSUED ON CALENDAR YEAR BASIS. DIRECTOR MAY CLASSIFY LICENSES AND PLACE RESTRICTIONS ON LICENSES; MAY ISSUE GENERAL LICENSES, LIMITED LICENSES, SPECIFIC LICENSES, AND PERMITS.
RENEWAL	RENEWABLE UPON APPLICATION AND PAYMENT OF LICENSE FEE.
NONRESIDENTS	NO RECIPROCITY (REPEALED 1971).

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. AGENT
2. AIRCRAFT
3. CUSTOM APPLICATION OF PESTICIDES
4. DEFOLIANT
5. DESICCANT
6. EXECUTIVE DIRECTOR (AGRICULTURE)
7. FUNGI
8. GROUND EQUIPMENT
9. INSECT
10. NEMATODE
11. PERSON
12. PEST
13. PEST CONTROL
14. PESTICIDE
15. PLANT REGULATOR
16. PUBLIC OPERATOR
17. SNAILS OR SLUGS
18. WEED
19. WILDLIFE

FINANCIAL RESPONSIBILITY:	NOT LESS THAN $10,000, NOR MORE THAN $200,000; EXCEPT THAT THE EXECUTIVE DIRECTOR MAY ACCEPT INSURANCE POLICY OR SURETY BOND WITH DEDUCTIBLE CLAUSE OF $500 FOR AERIAL APPLICATORS, OR $250 FOR ALL OTHER APPLICATORS (PROVIDED APPLICATOR HAS NO UNSATISFIED LEGAL CLAIMS IN THESE AMOUNTS). REGULATIONS ESTABLISH $10,000/20,000 FOR GROUND APPLICATORS, AND $25,000/50,000 FOR AERIAL APPLICATORS.
PENALTIES:	
CIVIL	NONE.
CRIMINAL	VIOLATION OF THE ACT OR REGULATIONS IS A MISDEMEANOR.
RELEVANT LAWS:	"NEVADA PESTICIDES ACT" (REGISTRATION LAW) (NEV. REV. STAT., § 586.010 TO 586.430, 1965) "NEVADA FOOD, DRUG, AND COSMETIC ACT" (NEV. REV. STAT., § 585.010 TO 585.550, 1964) DANGEROUS CAUSTIC OR CORROSIVE SUBSTANCES (NEV. REV. STAT., § 586.460 TO 586.520, 1964)

NEW HAMPSHIRE

TITLE: PESTICIDES CONTROL LAW
(N. H. REV. STAT. ANN., § 149D.1 TO 149D.11, SUPP. 1973)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN COMMERCIAL APPLICATION OF PESTICIDES UNLESS REGISTERED WITH THE PESTICIDES CONTROL BOARD. PERSONS OTHER THAN COMMERCIAL APPLICATORS MUST OBTAIN A "PERMIT." UNLAWFUL TO USE RESTRICTED PESTICIDES UNLESS CERTIFIED.

EXEMPTIONS: GOVERNMENTAL RESEARCH AND EXPERIMENTAL WORK; APPLICATION OF PESTICIDES AROUND, UNDER, OR IN THE IMMEDIATE VICINITY OF BUILDINGS BY THE OWNER, PROVIDED CROPS RAISED THEREIN ARE NOT OFFERED FOR SALE.

CERTIFICATION OR LICENSING:

CATEGORIES: OPERATIONAL REGISTRATION CERTIFICATES
SUPERVISORY REGISTRATION CERTIFICATES

QUALIFICATIONS: OPERATIONAL LEVEL: APPLICANTS MUST HAVE ATTAINED THEIR 18TH BIRTHDAY.
SUPERVISORY LEVEL: APPLICANTS MUST HAVE BEEN LICENSED AT OPERATIONAL LEVEL FOR 5 GROWING SEASONS AND WORKED UNDER A SUPERVISORY LICENSEE, OR, HOLD A COLLEGE DEGREE (IN BIOLOGICAL SCIENCES) AND LICENSED FOR ONE (1) YEAR AT THE OPERATIONAL LEVEL, OR WORKED ONE SEASON UNDER A QUALIFIED PERSON HAVING A SUPERVISORY LICENSE, OR, GRADUATE OF A TWO-YEAR COLLEGE (AGRICULTURAL OR TECHNICAL) PLUS 3 YEARS AS AN OPERATIONAL LICENSEE, OR, A PROPRIETOR OF A PROPOSED CUSTOM SPRAYING BUSINESS, OR, A GOVERNMENT EMPLOYEE, QUALIFIED BY EDUCATION OR EXPERIENCE, AS LISTED ABOVE.

APPLICATION: ON FORM PROVIDED BY THE BOARD.

EXAMINATION: REQUIRED OF COMMERCIAL APPLICATORS, PERMITEES, AND DEALERS.

FEES:

ANNUAL REGISTRATION CERTIFICATE	$ 10.00
PERMITS ISSUED WITHOUT COST	
DEALERS LICENSE	10.00

ISSUANCE: UPON BEING FOUND QUALIFIED.

RENEWAL: RENEWAL ON CALENDAR YEAR BASIS; APPLICANT FOR RENEWAL MUST FURNISH SIMPLE, ACCURATE RECORD OF HIS USE OF PESTICIDES FOR PRECEDING CALENDAR YEAR. PERSONS OTHER THAN COMMERCIAL APPLICATORS REQUIRED TO OBTAIN, AT NO COST, AN ANNUAL WRITTEN PERMIT, RENEWABLE UPON FURNISHING RECORD OF PRECEDING YEAR'S PESTICIDE USAGE.

NONRESIDENTS: PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	YES

REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: "A PESTICIDES CONTROL BOARD IS ESTABLISHED TO CONSIST OF THE COMMISSIONER OF AGRICULTURE, THE DIRECTOR OF THE DIVISION OF PUBLIC HEALTH SERVICES, THE DIRECTOR OF THE DIVISION OF RESOURCES DEVELOPMENT, THE DIRECTOR OF THE FISH AND GAME DEPARTMENT, THE STATE ENTOMOLOGIST, THE EXECUTIVE DIRECTOR OF THE WATER POLLUTION COMMISSION, AND FOUR MEMBERS APPOINTED BY THE GOVERNOR WITH THE CONSENT OF THE COUNCIL EACH FOR A TERM OF THREE YEARS AND UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED. OF THE ORIGINAL APPOINTMENTS ONE MEMBER IS FOR A TERM OF ONE YEAR, TWO FOR A TERM OF TWO YEARS, AND ONE FOR A TERM OF THREE YEARS. THE GOVERNOR, WITH THE CONSENT OF THE COUNCIL, SHALL MAKE HIS APPOINTMENTS AS FOLLOWS: ONE FROM THE GENERAL PUBLIC (NOT IN ANY OF THE FOLLOWING TWO CATEGORIES); ONE PERSON FROM A SLATE OF THREE PERSONS PRESENTED BY THE NEW HAMPSHIRE HORTICULTURAL SOCIETY; ONE PERSON FROM A SLATE OF THREE PERSONS PRESENTED BY THE NEW HAMPSHIRE ARBORISTS ASSOCIATION; AND ONE A RECOGNIZED ECOLOGIST, PREFERABLY HOLDING A DOCTORATE IN ECOLOGY. THE EXECUTIVE DIRECTOR OF THE WATER POLLUTION COMMISSION SHALL ACT AS EXECUTIVE SECRETARY TO THE BOARD AND SHALL COORDINATE FOR THE BOARD THE INFORMATION AND DATE DEVELOPED BY THE WATER POLLUTION COMMISSION AND DEPARTMENT OF AGRICULTURE RELATING TO THIS CHAPTER. THE BOARD SHALL CHOOSE ITS OWN CHAIRMAN. THE FOUR MEMBERS APPOINTED BY THE GOVERNOR AND COUNCIL ARE NOT ENTITLED TO COMPENSATION FOR THEIR SERVICES, BUT MAY RECEIVE REIMBURSEMENT FOR THEIR NECESSARY TRAVELING AND OTHER EXPENSES WHILE ENGAGED IN ACTUAL WORK OF THE BOARD, AND SHALL BE PAID FROM THE MONIES APPROPRIATED FOR THE PURPOSES OF THIS CHAPTER.

"THE ADMINISTRATION OF CLERICAL ACTIVITIES UNDER THIS ACT IS THE RESPONSIBILITY OF THE COMMISSIONER OF AGRICULTURE."

DEFINITIONS:

(LAW)	(REGULATION)
1. BOARD	1. BOARD
2. COMMERCIAL APPLICATION	2. CREW
3. COMMERCIAL APPLICATOR	3. DISPOSAL
4. DEFOLIANT	4. DRIFT
5. DESICCANT	5. MECHANICALLY-POWERED EQUIPMENT
6. PERSON	6. OPERATIONAL REGISTRATION CERTIFICATES
7. PEST	7. PESTICIDE
8. PESTICIDE	8. RESIDUE
9. PLANT REGULATOR	9. SUPERVISORY REGISTRATION CERTIFICATES
	10. SURFACE WATERS OF THEIR TRIBUTARIES USE FOR PUBLIC WATER SUPPLY
	11. WATERSHED OF PUBLIC WATER SUPPLY
	12. WITHIN, AROUND, UNDER, OR IN THE IMMEDIATE VICINITY OF BUILDINGS BY A PROPERTY OWNER OR HIS AGENT

FINANCIAL RESPONSIBILITY:

1. GROUND APPLICATION

PUBLIC LIABILITY, EACH PERSON	$ 20,000.00
PUBLIC LIABILITY, EACH OCCURRENCE	40,000.00
PROPERTY DAMAGE, EACH OCCURRENCE	10,000.00
PROPERTY DAMAGE, AGGREGATE	25,000.00

2. AERIAL APPLICATION:

PUBLIC LIABILITY, EACH PERSON	50,000.00
PUBLIC LIABILITY, EACH OCCURRENCE	100,000.00
PROPERTY DAMAGE, EACH OCCURRENCE	25,000.00
PROPERTY DAMAGE, AGGREGATE	50,000.00

PENALTIES:

CIVIL: VIOLATION OF ACT OR REGULATIONS SUBJECT TO A CIVIL LIABILITY OF NOT TO EXCEED $5,000.

CRIMINAL: VIOLATION OF LAW OR REGULATION CONSTITUTES A MISDEMEANOR, IF BY A NATURAL PERSON, AND A FELONY IF BY OTHER THAN A NATURAL PERSON.

RELEVANT LAWS:

ECONOMIC POISON LAW (REGISTRATION LAW)
(N. H. REV. STAT. ANN., § 436.1 TO 436.17, SUPP. 1974)

* FOOD, DRUG AND COSMETIC LAW
(N. H. REV. STAT. ANN., § 146.1 ET SEQ., 1964)

NEW HAMPSHIRE ARBORIST LAW
(N. H. REV. STAT. ANN., § 222.1 ET SEQ., 1964)

* PEST CONTROL COMPACT
(N. H. REV. STAT. ANN., § 43781 TO 43787, 1964)

NEW JERSEY

TITLE: "PESTICIDE CONTROL ACT OF 1971" (N. J. STAT. ANN., § 13:1F-1 TO 13:1F-14, SUPP. 1975-1976)

PROHIBITED ACTS: UNLAWFUL TO SELL, PURCHASE, TRANSPORT, LABEL, USE OR APPLY PESTICIDES WHICH CAUSE OR MAY TEND TO CAUSE ADVERSE EFFECTS ON MAN OR THE ENVIRONMENT CONTRARY TO ORDERS, RULES, AND REGULATIONS OF THE COMMISSIONER OF ENVIRONMENTAL PROTECTION; OR TO REMOVE, DISPOSE, OR USE ANY DETAINED OR EMBARGOED PESTICIDE WITHOUT PERMISSION OF THE DEPARTMENT.

EXEMPTIONS: NOT SPECIFIED IN ACT.

CERTIFICATION OR LICENSING:

- CATEGORIES: SPECIAL USE PERMITEE; APPLICATOR OF RESTRICTED PESTICIDES.
- QUALIFICATIONS: NOT SPECIFIED IN ACT.
- APPLICATION: NOT SPECIFIED IN ACT.
- EXAMINATION: NOT SPECIFIED IN ACT.
- FEES: NOT SPECIFIED IN ACT.
- ISSUANCE: NOT SPECIFIED IN ACT.
- NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	NO

CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD:

"THERE IS HEREBY CREATED IN THE DEPARTMENT OF (A) PESTICIDE CONTROL COUNCIL WHICH SHALL CONSIST OF NINE MEMBERS, THREE OF WHOM SHALL BE THE SECRETARY OF AGRICULTURE, THE COMMISSIONER OF HEALTH, THE DEAN OF THE COLLEGE OF AGRICULTURE AND ENVIRONMENTAL SCIENCE OF RUTGERS, THE STATE UNIVERSITY, OR THEIR DESIGNEES, WHO SHALL SERVE AS EX OFFICIO, AND SIX CITIZENS OF THE STATE REPRESENTING THE GENERAL PUBLIC TO BE APPOINTED BY THE GOVERNOR, TO SERVE AT HIS PLEASURE, OF WHOM ONE SHALL BE A FARMER, ONE A TOXICOLOGIST AND ONE AN ECOLOGIST. THE GOVERNOR SHALL DESIGNATE A CHAIRMAN AND A VICE CHAIRMAN OF THE COUNCIL FROM THE PUBLIC MEMBERS WHO SHALL SERVE AT THE WILL OF THE GOVERNOR ...

"THE PESTICIDE CONTROL COUNCIL SHALL BE THE ADVISORY BODY IN THE DEPARTMENT OF ENVIRONMENTAL PROTECTION IN MATTERS RELATING TO THE CONTROL, REGULATION AND USE OF PESTICIDES AND IS EMPOWERED TO:

A. REQUEST FROM THE COMMISSIONER SUCH INFORMATION CONCERNING PESTICIDES AS IT MAY DEEM NECESSARY;

B. STUDY AND CONSIDER ANY MATTER RELATING TO THE IMPROVEMENT OF PESTICIDE CONTROL PROGRAMS AND ADVISE THE COMMISSIONER THEREON;

C. FROM TIME TO TIME SUBMIT TO THE COMMISSIONER SUCH RECOMMENDATIONS AND REPORTS WHICH IT DEEMS NECESSARY FOR THE PROPER CONDUCT AND IMPROVEMENT OF PESTICIDE CONTROL PROGRAMS;

D. STUDY THE USE, APPLICATION AND DISPOSAL OF PESTICIDES AND ADVISE THE COMMISSIONER THEREON;

E. STUDY PESTICIDE CONTROL PROGRAMS AND MAKE REPORTS AND RECOMMENDATIONS THEREON TO THE COMMISSIONER AS IT MAY DEEM NECESSARY;

F. STUDY ANY REGULATIONS PROMULGATED BY THE DEPARTMENT OR ANY OTHER GOVERNMENTAL ENTITY IN REGARD TO THE CONTROL OF PESTICIDES AND MAKE SUCH RECOMMENDATIONS THEREON TO THE COMMISSIONER AS IT MAY DEEM APPROPRIATE;

G. STUDY AND INVESTIGATE THE STATE OF THE ART AND THE TECHNICAL CAPABILITIES AND LIMITATIONS OF REGULATIONS CONCERNING USE AND CONTROL OF PESTICIDES AND THEIR RELATION TO THE ENVIRONMENT AND ECOLOGY AND REPORT ITS FINDINGS AND RECOMMENDATIONS THEREON TO THE COMMISSIONER;

H. STUDY AND INVESTIGATE THE NEED FOR PROGRAMS FOR LONG RANGE TECHNICAL SUPPORT OF PESTICIDE CONTROL PROGRAMS AND REPORT ITS FINDINGS AND RECOMMENDATIONS THEREON TO THE COMMISSIONER; AND

I. HOLD PERIODIC PUBLIC HEARINGS CONCERNING THE USE AND APPLICATION OF PESTICIDES AND UPON THE STATE OF THE ART AND TECHNICAL CAPABILITIES AND LIMITATIONS IN PESTICIDE CONTROL AND REPORT ITS RECOMMENDATIONS THEREON TO THE COMMISSIONER ..."

DEFINITIONS:

1. COMMISSIONER
2. COUNCIL
3. DEPARTMENT
4. PERSON
5. PESTICIDE

FINANCIAL RESPONSIBILITY: NOT SPECIFIED IN ACT.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT OR REGULATIONS SUBJECT TO A PENALTY OF NOT MORE THAN $1,000 FOR EACH OFFENSE (TO BE COLLECTED IN A CIVIL ACTION); EACH DAY OF VIOLATION TO CONSTITUTE A SEPARATE OFFENSE.

RELEVANT LAWS: "NEW JERSEY ECONOMIC POISON ACT OF 1951"
(N. J. STAT. ANN., § 4:8A-1 TO 4:8A-27, 1973)

NEW MEXICO

TITLE: "PESTICIDE CONTROL ACT"*
(N. M. STAT. ANN., § 45-21-1 TO 45-25-39,SUPP. 1975)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES, TO ACT AS A PEST MANAGEMENT CONSULTANT, OR TO BE A DEALER IN RESTRICTED PESTICIDES, UNLESS LICENSED BY THE DEPARTMENT OF AGRICULTURE.

EXEMPTIONS: FARMERS, RANCHERS, AND LANDSCAPE GARDENERS EXEMPT FROM LICENSING, BUT MUST HAVE PURCHASE AND USE PERMIT FOR RESTRICTED PESTICIDES.

CERTIFICATION OR LICENSING:

CATEGORIES
- COMMERCIAL APPLICATOR
- OPERATOR
- PEST CONTROL OPERATOR
- PEST MANAGEMENT CONSULTANT
- PRIVATE APPLICATOR

QUALIFICATIONS — KNOWLEDGE AND ABILITY TO PASS EXAMINATION.

APPLICATION — ON FORMS PROVIDED BY THE DEPARTMENT.

EXAMINATION — WRITTEN. MAY REQUIRE APPLICANT TO DEMONSTRATE ABILITY TO APPLY PESTICIDES PROPERLY.

FEES

EXAMINATION FEE	$ 1[illegible].00
PESTICIDE DEALER LICENSE	15.00
PEST MANAGEMENT CONSULTANT LICENSE	15.00
COMMERCIAL PESTICIDE APPLICATOR LICENSE	35.00
OPERATORS LICENSE	10.00
AIRCRAFT INSPECTION FEE (EACH UNIT)	20.00
GROUND APPARATUS INSPECTION FEE (EACH UNIT)	10.00
MANUAL APPARATUS INSPECTION FEE	
EACH UNIT	5.00
MAXIMUM PER VEHICLE	15.00
RE-INSPECTION FEE (AFTER FAILURE TO PASS)	ORIGINAL FEE
PUBLIC AGENCY CONSULTANTS AND OPERATORS	NO FEE

ISSUANCE — UPON BEING FOUND QUALIFIED, AND FURNISHING PROOF OF FINANCIAL RESPONSIBILITY. EXPIRE DECEMBER 31.

RENEWAL — RENEWABLE ANNUALLY.

NONRESIDENTS — NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES

*PORTIONS OF THE ACT RELATING TO THE REGISTRATION AND LABELING OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	YES

PESTICIDE BOARD:

"THERE IS CREATED THE PESTICIDE ADVISORY BOARD CONSISTING OF THE DEAN OF THE COLLEGE OF AGRICULTURE AT NEW MEXICO STATE UNIVERSITY, THE DIRECTOR OF THE NEW MEXICO ENVIRONMENTAL IMPROVEMENT AGENCY, THE DIRECTOR OF THE NEW MEXICO DEPARTMENT OF GAME AND FISH, THE DIRECTOR OF THE NEW MEXICO STATE PLANNING OFFICE AND THE DIRECTOR OF THE NEW MEXICO DEPARTMENT OF AGRICULTURE OR THEIR DESIGNEES. THE PESTICIDE ADVISORY BOARD IS CREATED TO ASSURE THE CONTINUATION OF THE BASIC POLICY OF THE STATE TO PROTECT AND IMPROVE THE ENVIRONMENT BY ASSURING THE PROPER REGISTRATION, DISTRIBUTION AND USE OF PESTICIDES AND DEVICES.

"THE PESTICIDE ADVISORY BOARD SHALL (MEET) AT LEAST ONCE EACH YEAR PRIOR TO NOVEMBER 1, REVIEW ALL PESTICIDES IN USE OR PROPOSED TO BE USED IN THE STATE AND, DETERMINE WHICH PESTICIDES SHOULD NOT BE REGISTERED IN THE STATE, WHICH SHOULD BE DESIGNATED RESTRICTED USE PESTICIDES, AND THE USE TO WHICH RESTRICTED USE PESTICIDES MAY BE PUT. IN DETERMINING THE USE TO WHICH RESTRICTED USE PESTICIDES MAY BE PUT, THE PESTICIDE ADVISORY BOARD SHALL CONSIDER THE NEED FOR CONTROL OF THE TARGET PEST, WHETHER THE USE OF EFFECTIVE ALTERNATE MATERIALS IS PRACTICABLE AND WHETHER THE USE OF ALTERNATE MATERIALS IS HAZARDOUS TO THE ENVIRONMENT OR PUBLIC HEALTH AND WELFARE, OR BOTH.

"THE FINDINGS OF THE PESTICIDE ADVISORY BOARD SHALL BE SUBMITTED TO THE BOARD IN PROMULGATING REGULATIONS PURSUANT TO THE PESTICIDE CONTROL ACT."

DEFINITIONS:	(LAW)	(REGULATION)
	1. APPARATUS	1. ACTIVE INGREDIENT
	2. BOARD	2. AIRCRAFT APPARATUS
	3. DEPARTMENT	3. ANTIDOTE
	4. DEVICE	4. BAIT
	5. DISTRIBUTE	5. BENEFICIAL INSECTS
	6. ENVIRONMENT	6. CERTIFIED APPLICATOR
	7. INGREDIENT STATEMENT	7. DEFOLIANT
	8. INSECT	8. DESICCANT
	9. LABEL	9. FUNGUS
	10. LABELING	10. GROUND APPARATUS
	11. PERSON	11. ILLEGAL RESIDUE
	12. PEST	12. INERT INGREDIENT
	13. PESTICIDE	13. MANUAL APPARATUS
	14. PESTICIDE DEALER	14. OPERATOR OR SERVICEMAN
	15. PEST MANAGEMENT CONSULTANT	15. PERMIT
	16. REGISTRANT	16. PEST
	17. RESTRICTED USE PESTICIDE	17. PEST CONTROL OPERATOR
	18. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT	18. PLANT REGULATOR
		19. PRIVATE APPLICATOR
		20. PROTECTIVE EQUIPMENT
		21. SPRAY ADJUVANT
		22. WEED

FINANCIAL RESPONSIBILITY:	SURETY BOND:	
	AIRCRAFT	$ 100,000.00
	GROUND OR MANUAL	50,000.00
	OR,	
	LIABILITY INSURANCE:	
	AIRCRAFT, BODILY INJURY	25,000/50,000
	PROPERTY DAMAGE	50,000.00
	SINGLE LIMIT, BODILY INJURY AND PROPERTY DAMAGE	100,000.00
	GROUND OR MANUAL:	
	BODILY INJURY	25,000.00
	PROPERTY DAMAGE	25,000.00
	SINGLE LIMIT, BODILY INJURY AND PROPERTY DAMAGE	50,000.00
	MAXIMUM AMOUNT DEDUCTIBLE:	
	AIRCRAFT	500.00
	GROUND OR MANUAL	250.00

PENALTIES:

CIVIL — NONE.

CRIMINAL — VIOLATION OF ACT OR REGULATIONS CONSTITUTES A PETTY MISDEMEANOR.

RELEVANT LAWS: PEST CONTROL ACT (QUARANTINE AND CONTROL ACT) (N. M. STAT., ANN., § 45-8-39 TO § 45-8-47, 1953)

NEW YORK

TITLE: CUSTOM APPLICATION OF PESTICIDES
(N. Y. ENVIR. CON LAW, § 33-0901 TO 33-0905, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN CUSTOM APPLICATION OF PESTICIDES UNLESS CERTIFIED AND REGISTERED BY THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION.

EXEMPTIONS: FARMER OWNER OF GROUND EQUIPMENT APPLYING PESTICIDES ON OWN OR NEIGHBOR'S LAND AND NOT ENGAGED IN COMMERCIAL APPLICATION, AND ANY PERSON APPLYING PESTICIDES WITH GROUND EQUIPMENT ON OWN PREMISES; BUT MUST HAVE A PERMIT TO PURCHASE, POSSESS, OR USE A RESTRICTED USE PESTICIDE.

CERTIFICATION OR LICENSING:

CATEGORIES: CUSTOM APPLICATOR

QUALIFICATIONS: APPLICANT MUST SATISFY COMMISSIONER THAT HE HAS SUFFICIENT KNOWLEDGE AND EXPERIENCE CONCERNING THE PROPER USE AND APPLICATION OF PESTICIDES.

APPLICATION: ON FORM PRESCRIBED BY COMMISSIONER.

EXAMINATION: NOT SPECIFIED IN ACT.

FEES: ESTABLISHED BY REGULATION. CUSTOM APPLICATORS $ 30.00

ISSUANCE: REGISTRATION ANNUALLY FOR THE PERIOD APRIL 1 THROUGH MARCH 31 OF THE FOLLOWING YEAR. REGISTRATION MAY FR CANCELLED OR REFUSED FOR SPECIFIED CAUSES (INCLUDING APPLICATION OF PESTICIDES CONTRARY TO THE REGISTERED USAGE).

RENEWAL: RENEWABLE ANNUALLY.

NONRESIDENTS: NO PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YLS
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO

REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. AIRCRAFT
2. COMMISSIONER
3. CUSTOM APPLICATION OF PESTICIDES
4. GROUND EQUIPMENT
5. PESTICIDES
6. RESTRICTED USE PESTICIDE (SECTION 33-0303)

FINANCIAL RESPONSIBILITY: NO REQUIREMENT.

PENALTIES:

CIVIL: NONE.

CRIMINAL:

VIOLATION OF ACT SUBJECT TO FINE OF NOT LESS THAN $50 NOR MORE THAN $200 FOR FIRST OFFENSE; SECOND OFFENSE SUBJECT TO A FINE OF NOT MORE THAN $400.

VIOLATION OF REGULATIONS SUBJECT TO A FINE OF NOT MORE THAN $200 FOR FIRST OFFENSE, AND NOT MORE THAN $400 FOR SECOND AND EACH SUBSEQUENT VIOLATION.

VIOLATION OF THE CHAPTER LAW IS A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $25 NOR MORE THAN $200, OR BY IMPRISONMENT FOR NOT LESS THAN ONE MONTH, NOR MORE THAN SIX MONTHS, OR BY BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

ECONOMIC POISON LAW (REGISTRATION LAW)
(N. Y. ENVIR. CON. LAW, § 33-0101 TO 33-0721 AND § 33-1301 TO 33-1503, 1973)

TREATMENT OF STATE WATERS WITH A PESTICIDE
(N. Y. ENVIR. CON. LAW, § 15-0313(4)(A)(B)(C), 1973)

PESTICIDES (HERBICIDES) IN GRAPE VINEYARDS (PROTECTION OF GRAPE GROWING AREAS)
(N. Y. ENVIR. CON. LAW, § 33-1101 TO 33-1105, 1973)

NORTH CAROLINA

TITLE: "STRUCTURAL PEST CONTROL ACT OF NORTH CAROLINA OF 1955"* (N.C. GEN. STAT., § 106-65.22 TO 106-65.36, SUPP. 1973)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE OR SUPERVISE WORK IN STRUCTURAL PEST CONTROL UNLESS LICENSED BY THE STRUCTURAL PEST CONTROL COMMITTEE (AND LICENSE SIGNED BY THE COMMISSIONER OF AGRICULTURE); UNLAWFUL FOR ANY PERSON TO USE A PESTICIDE IN A MANNER INCONSISTENT WITH ITS LABEL. USERS OF RESTRICTED PESTICIDES MUST BE CERTIFIED, OR UNDER DIRECT SUPERVISION.

EXEMPTIONS: PERSONS DOING WORK ON THEIR OWN PROPERTY; AND STATE, FEDERAL AND LOCAL GOVERNMENTAL AGENCIES.

CERTIFICATION OR LICENSING:

CATEGORIES (PHASES)

1. CONTROL OF HOUSEHOLD PESTS
2. CONTROL OF WOOD DESTROYING ORGANISMS
3. FUMIGATION

QUALIFICATIONS TWO YEARS EXPERIENCE, OR, ONE OR MORE YEARS TRAINING IN PHASE 2 OR 3 AT COLLEGE OR UNIVERSITY LEVEL, MAY SUBSTITUTE FOR EXPERIENCE ON A YEAR FOR YEAR BASIS, OR, A DEGREE, WITH STUDIES IN ENTOMOLOGY, SANITARY OR PUBLIC HEALTH ENGINEERING OR RELATED SUBJECTS, AND KNOWLEDGE OF PRACTICAL AND SCIENTIFIC FACTS REGARDING STRUCTURAL PEST CONTROL.

APPLICATION ON FORMS PRESCRIBED AND FURNISHED BY THE COMMITTEE, NOTARIZED AND UNDER OATH, WITH FINGERPRINTS, PHOTOGRAPH AND $25 EXAMINATION FEE.

EXAMINATION WRITTEN, OR BOTH ORAL AND WRITTEN, GIVEN AT LEAST TWICE ANNUALLY (REGULATIONS PROVIDE FOR MONTHLY EXAMINATIONS); ONE RE-EXAMINATION MAY BE TAKEN WITHIN ONE YEAR WITHOUT PAYING ADDITIONAL EXAMINATION FEE; 70% IS PASSING GRADE.

FEES

APPLICATION	$ NONE
EXAMINATION	25.00
ANNUAL LICENSE FEE (ONE PHASE)	100.00
ADDITIONAL LICENSES FOR EACH PHASE	50.00
LATE RENEWAL (BEFORE AUGUST 1)	10.00
DUPLICATE LICENSE	5.00
REGISTRATION OF SOLICITORS AND SERVICEMEN	20.00
RENEWAL, SOLICITORS AND SERVICEMEN	20.00
DUPLICATE IDENTIFICATION CARDS	1.00

ISSUANCE APPLICANTS PASSING EXAMINATION MUST APPLY FOR LICENSES WITHIN SIX MONTHS, OR BE SUBJECT TO RE-EXAMINATION; EXPIRES JUNE 30.

RENEWAL

NONRESIDENTS NO PROVISION FOR RECIPROCITY. NONRESIDENT LICENSEES MUST DESIGNATE A RESIDENT AGENT TO ACCEPT SERVICE OF LEGAL PROCESSES, AND TO SAME RECORDS AS REQUIRED OF RESIDENT LICENSEES.

*THIS ACT WAS AMENDED BY SENATE BILL NO. 537, APPROVED MAY 17, 1973, AND BY SENATE BILL NO. 502, APPROVED JUNE 12, 1975. THE ACT WAS RATIFIED ON MAY 17, 1955; BECAME EFFECTIVE JULY 1, 1955; WAS AMENDED IN 1957, 1967, 1973 and 1975.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT USAGE	YES
ENTER AND INSPECT PROPERTY	YES	COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RECORDS/REPORTS KEEP TWO YEARS	YES
OPEN FOR INSPECTION	YES	SUBMIT COPIES	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "THERE IS HEREBY CREATED A STRUCTURAL PEST CONTROL COMMITTEE ... OF FIVE MEMBERS. THE COMMISSIONER OF AGRICULTURE SHALL DESIGNATE ONE MEMBER OF THE BOARD OF AGRICULTURE ... AS AN EX OFFICIO MEMBER ... (AND) AN EMPLOYEE OF THE DEPARTMENT (AS A MEMBER). THE DEAN OF THE SCHOOL OF AGRICULTURE OF NORTH CAROLINA STATE UNIVERSITY AT RALEIGH SHALL APPOINT ONE MEMBER (FROM THE ENTOMOLOGY FACULTY). THE GOVERNOR SHALL APPOINT TWO MEMBERS ... (LICENSEES) ACTIVE ENGAGED ... IN AT LEAST TWO PHASES (CATEGORIES) OF STRUCTURAL PEST CONTROL ... MEMBERS (EXCEPT STATE EMPLOYEES) SHALL RECEIVE $20 PER DIEM ... ALL MEMBERS ... 8¢ PER MILE FOR TRAVEL ... " (THREE MEMBERS CONSTITUTE A QUORUM AND THREE MEMBERS MAY CALL A SPECIAL MEETING.)

DEFINITIONS:

(LAW)

1. ANIMAL
2. APPLICANT
3. ATTRACTANTS
4. BRANCH OFFICE
5. CERTIFIED APPLICATOR
6. COMMISSIONER (OF AGRICULTURE)
7. COMMITTEE
8. DEVICE
9. DIRECTOR
10. EMPLOYEE
11. FUMIGANTS
12. FUNGI
13. INSECT
14. INSECTICIDES
15. LABEL
16. LICENSEE
17. PERSON
18. PEST
19. PESTICIDE
20. REGISTERED PESTICIDE
21. REPELLENTS
22. RESTRICTED USE PESTICIDE
23. RODENTICIDES
24. STRUCTURAL PEST
25. UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR

(REGULATION)

1. ACT AND/OR LAW
2. ACUTELY TOXIC RODENTICIDAL BAITS
3. ATTRACTANTS
4. BOARD OF AGRICULTURE
5. CHEMICALS
6. COMMISSIONER
7. COMMON LABOR
8. COMPLETE SURFACE RESIDUAL SPRAY
9. DEPARTMENT
10. DISCIPLINARY ACTION
11. DIVISION
12. ENCLOSED SPACE
13. ENFORCEMENT AGENCY
14. FLAMMABLE PESTICIDE FOG
15. FUMIGATION
16. FUMIGATION CREW OR CREWS
17. FUMIGATION OPERATION
18. FUMIGATION PERIOD
19. FUMIGATION SUPERVISION
20. FUMIGATOR
21. FUNGI
22. GENERAL FUMIGATION
23. HOUSEHOLD
24. HOUSEHOLD PEST CONTROL
25. INFESTATION
26. INSPECTION FOR WOOD-DESTROYING ORGANISMS
27. INSPECTOR
28. JOBS
29. LETTERS OF CLEARANCE
30. LICENSE AND BUSINESS LICENSE (SYNONYMOUS)
31. LICENSED STRUCTURAL PEST CONTROL OPERATION, OR PEST CONTROL OPERATION, OR OPERATOR, OR LICENSED OPERATOR (THE LICENSEE)
32. LIQUIFIED GAS AEROSOL
33. PRACTICAL EXPERIENCE
34. SECRETARY (TO THE COMMITTEE)
35. SPACE SPRAY
36. SPOT FUMIGATION
37. SPOT SURFACE RESIDUAL SPRAY
38. STRUCTURAL PESTS
39. STRUCTURE
40. SUB-SLAB FUMIGATION
41. TOXIC CHEMICALS
42. UNAUTHORIZED PERSONNEL
43. WAIVER (PERMITS DEVIATION FROM STANDARDS)
44. WOOD DESTROYING ORGANISMS

FINANCIAL RESPONSIBILITY: NONE; HOWEVER, IF LICENSEE REPRESENTS HIMSELF AS BEING BONDED, THEN HE MUST IN FACT BE BONDED AND SHALL MAKE FULL DISCLOSURE OF TERMS AND CONDITIONS OF BOND TO EACH CUSTOMER.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATION CONSTITUTES A MISDEMEANOR SUBJECT TO FINE OR IMPRISONMENT, OR BOTH FINE AND IMPRISONMENT, AT THE DISCRETION OF THE COURT.

RELEVANT LAWS: "NORTH CAROLINA PESTICIDE LAW OF 1971"
(N.C. GEN. STAT., § 143.434 TO 143.470, 1974)

NORTH CAROLINA

TITLE: "NORTH CAROLINA PESTICIDE LAW OF 1971"
(N.C. GEN. STAT., § 143-434 TO 143-470, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO:

(1) REGISTRATION LAW - TO DISTRIBUTE, SELL, OR TRANSPORT IN INTRA-STATE COMMERCE PESTICIDES NOT REGISTERED WITH THE PESTICIDE BOARD, NOT PROPERLY LABELED, NOT IN THE MANUFACTURER'S UNBROKEN IMMEDIATE CONTAINER, AND (FOR CERTAIN ONES) NOT PROPERLY COLORED; TO DETACH, ALTER, DEFACE, OR DESTROY ANY LABEL; TO ADD SUBSTANCES TO OR TAKE MATERIAL FROM A PESTICIDE; TO REVEAL (WITH CERTAIN EXCEPTIONS) OR USE FOR OWN ADVANTAGE ANY INFORMATION GAINED WHEN REGISTERING A PESTICIDE.

(2) SALE AND USE LAW - TO ENGAGE IN BUSINESS AS A PESTICIDE DEALER UNLESS LICENSED BY THE PESTICIDE BOARD; TO ENGAGE IN THE BUSINESS OF PESTICIDE APPLICATOR OR PERFORM SERVICES AS A PEST CONTROL CON-SULTANT, UNLESS LICENSED BY THE PESTICIDE BOARD; TO USE A RESTRICTED PESTICIDE IN A MANNER INCONSISTENT WITH ITS LABEL.

EXEMPTIONS: (1) REGISTRATION - COMMON CARRIERS TRANSPORTING PESTICIDES, PUBLIC OFFICIALS PERFORMING OFFICIAL DUTIES, PESTICIDES MARKED FOR EXPERI-MENTAL USE ONLY, AND PESTICIDES MANUFACTURED TO FOREIGN CUSTOMERS' SPECIFICATIONS FOR EXPORT.

(2) DEALERS AND APPLICATORS - BY DEFINITION, FARMERS ARE NOT APPLICATORS.

CERTIFICATION OR LICENSING: A. DEALERS

CATEGORIES (CLASSES)

1. PESTICIDE APPLICATORS - GROUND
2. PESTICIDE APPLICATORS - AERIAL CONTRACTORS AND PILOTS
3. PUBLIC OPERATORS - GROUND
4. PUBLIC OPERATORS - AERIAL CONTRACTORS AND PILOTS

(SUB-CLASSES, OF 1 AND 3 ABOVE)

1. DISEASE VECTOR CONTROL
2. FOREST PEST CONTROL
3. AGRICULTURAL PEST CONTROL
4. RIGHTS-OF-WAY
5. REGULATED PEST CONTROL
6. LIVESTOCK PEST CONTROL
7. ORNAMENTAL TREE, PLANT AND TURF PEST CONTROL
8. FUMIGATION
9. AQUATIC PEST CONTROL

(SUB CLASSES OF CLASS 2 AND 4)

SAME AS 1,2,3,4,5 AND 9, NEXT ABOVE
PROVISION MADE FOR APPRENTICE PESTICIDE APPLICATORS.

QUALIFICATIONS TWO YEARS AS EMPLOYEE OR OWNER-OPERATOR IN FIELD OF PESTICIDE SALES, BUT MAY SUBSTITUTE, YEAR FOR YEAR, TRAINING IN PESTICIDES OR PEST CONTROL RECEIVED UNDER COLLEGE SUPERVISION, OR A COLLEGE DEGREE WITH TRAINING IN ENTOMOLOGY, PLANT PATHOLOGY, WEED SCIENCE OR RELATED SUBJECTS, INCLUDING SOME PRACTICAL EXPERIENCE. ALL APPLICANTS MUST HAVE REACHED 18TH BIRTHDAY.

APPLICATION	" ... SHALL BE IN THE FORM AND SHALL CONTAIN THE INFORMATION PRESCRIBED BY THE BOARD .... "
EXAMINATION	WRITTEN, OR ORAL AND WRITTEN, EXAM REQUIRED TO TEST APPLICANTS' KNOWLEDGE OF PESTICIDES, THEIR USEFULNESS AND HAZARDS, AND THE LAWS AND REGULATIONS RELATING TO SALE AND USE OF PESTICIDES.
FEES	APPLICATION FEE — $ 25.00 LICENSE RENEWAL FEE — 15.00 DELINQUENT RENEWAL FEE, PENALTY — 25%
ISSUANCE	CALENDAR YEAR LICENSE, EXPIRES DECEMBER 31.
RENEWAL	RENEWAL MUST BE FILED ON OR BEFORE JANUARY 1.

B. APPLICATORS AND CONSULTANTS

QUALIFICATIONS	TWO YEARS EXPERIENCE AS AN EMPLOYEE OR OWNER-OPERATOR IN THE FIELD OF PESTICIDE APPLICATION OR PESTICIDE CONSULTING, BUT MAY SUBSTITUTE YEAR FOR YEAR, TRAINING RECEIVED UNDER COLLEGE SUPERVISION IN LIEU OF EXPERIENCE; OR A COLLFGF DEGREE, WITH TRAINING IN ENTOMOLOGY, SANITARY OR PUBLIC HEALTH ENGINEERING, PLANT PATHOLOGY, WEED SCIENCE OR RELATED SUBJECTS; INCLUDING SOME PRACTICAL EXPERIENCE; OR IN THE CASE OF LOCAL PUBLIC EMPLOYEES ENGAGED IN PUBLIC PEST CONTROL, SUFFICIENT EXPERIENCE TO SATISFY THE BOARD OF THEIR QUALIFICATIONS. ALL APPLICANTS MUST HAVE REACHED 18TH BIRTHDAY.
APPLICATION	" ... SHALL BE IN THE FORM AND CONTAIN THE INFORMATION PRESCR:BED BY THE BOARD .... "
EXAMINATION	WRITTEN, OR ORAL AND WRITTEN, EXAM REQUIRED TO TEST APPLICANT'S KNOWLEDGE OF THE USEFULNESS AND HAZARDS OF PESTICIDES AND THE LAWS AND REGULATIONS REGARDING THEIR CONTROL.
FEES	APPLICATION FOR — $ 25.00 AIRCRAFT INSPECTION FEE (EACH AIRCRAFT) — 10.00 GROUND EQUIPMENT INSPECTION FEE — 5.00 LATE FILING FEE, PENALTY — 25% LOST LICENSE REPLACEMENT — 2.00
NONRESIDENTS	PROVISION MADE FOR RECIPROCITY PROVIDED NONRESIDENT MEETS STATE FINANCIAL RESPONSIBILITY REQUIREMENTS.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES

CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	YES

PESTICIDE BOARD:

"NORTH CAROLINA PESTICIDE BOARD: CREATION AND ORGANIZATION. --

(A) THERE IS HEREBY ESTABLISHED THE NORTH CAROLINA PESTICIDE BOARD WHICH TOGETHER WITH THE COMMISSIONER OF AGRICULTURE, SHALL BE RESPONSIBLE FOR CARRYING OUT THE PROVISIONS OF THIS ARTICLE.

(B) THE PESTICIDE BOARD SHALL CONSIST OF SEVEN MEMBERS, TO BE APPOINTED BY THE GOVERNOR, AS FOLLOWS:

1. ONE MEMBER EACH REPRESENTING THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE, THE NORTH CAROLINA DEPARTMENT OF HEALTH, AND A STATE CONSERVATION AGENCY. THE PERSONS SO SELECTED MAY BE EITHER MEMBERS OF A POLICY BOARD OF DEPARTMENT OFFICIALS OR EMPLOYEES.

2. A REPRESENTATIVE OF THE AGRICULTURAL CHEMICAL INDUSTRY.

3. A PERSON DIRECTLY ENGAGED IN AGRICULTURAL PRODUCTION.

4. TWO AT-LARGE MEMBERS, FROM FIELDS OF ENDEAVOR OTHER THAN THOSE ENUMERATED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, ONE OF WHOM SHALL BE A NON-GOVERNMENTAL CONSERVATIONIST.

(C) THE MEMBERS OF THE PESTICIDE BOARD SHALL SERVE STAGGERED FOUR-YEAR TERMS .... ANY VACANCY OCCURRING IN THE MEMBERSHIP OF THE BOARD PRIOR TO THE EXPIRATION OF THE TERM SHALL BE FILLED BY APPOINTMENT BY THE GOVERNOR .... THE GOVERNOR MAY AT ANY TIME REMOVE ANY MEMBER FROM THE BOARD FOR GROSS INEFFICIENCY, NEGLECT OF DUTY, MALFEASANCE, MISFEASANCE OR NONFEASANCE IN OFFICE ....

(D) THE BOARD SHALL SELECT ITS CHAIRMAN FROM ITS OWN MEMBERSHIP, TO SERVE FOR A TERM OF TWO YEARS. THE CHAIRMAN SHALL HAVE A FULL VOTE. ANY VACANCY OCCURRING IN THE CHAIRMANSHIP SHALL BE FILLED BY THE BOARD FOR THE REMAINDER OF THE TERM....

(E) ANY ACTION OF THE BOARD SHALL REQUIRE AT LEAST FOUR CONCURRING VOTES.

(F) THE MEMBERS OF THE BOARD WHO ARE NOT OFFICERS OR EMPLOYEES OF THE STATE SHALL RECEIVE... PER DIEM AND COMPENSATION ...."

"PESTICIDE BOARD: FUNCTIONS. — THE PESTICIDE BOARD SHALL BE THE GOVERNING BOARD FOR THE PROGRAMS OF PESTICIDE MANAGEMENT AND CONTROL SET FORTH IN THIS ARTICLE. THE PESTICIDE BOARD SHALL HAVE THE FOLLOWING POWERS AND DUTIES UNDER THIS ARTICLE:

(1) TO ADOPT RULES AND REGULATIONS AND MAKE POLICIES FOR THE PROGRAMS SET FORTH IN THIS ARTICLE.

(2) TO CARRY OUT A PROGRAM OF PLANNING AND OF INVESTIGATION INTO LONG-RANGE NEEDS AND PROBLEMS CONCERNING PESTICIDES.

(3) TO COLLECT, ANALYZE AND DISSEMINATE INFORMATION NECESSARY FOR THE EFFECTIVE OPERATION OF THE PROGRAMS SET FORTH IN THIS ARTICLE.

(4) TO PROVIDE PROFESSIONAL ADVICE TO PUBLIC AND PRIVATE AGENCIES AND CITIZENS OF THE STATE ON MATTERS RELATING TO PESTICIDES, IN COOPERATION WITH OTHER STATE AGENCIES, WITH PROFESSIONAL GROUPS, AND WITH NORTH CAROLINA STATE UNIVERSITY AND OTHER EDUCATIONAL INSTITUTIONS.

(5) TO ACCEPT GIFTS, DEVISES AND BEQUESTS AND WITH THE APPROVAL OF THE GOVERNOR TO APPLY FOR AND ACCEPT GRANTS FROM THE FEDERAL GOVERNMENT AND ITS AGENCIES AND FROM ANY FOUNDATION, CORPORATION, ASSOCIATION OR INDIVIDUAL, AND MAY COMPLY WITH THE TERMS, CONDITIONS AND LIMITATIONS OF THE GRANT, IN ORDER TO ACCOMPLISH ANY OF THE PURPOSES OF THE BOARD, SUCH GRANT FUNDS TO BE EXPENDED PURSUANT TO THE EXECUTIVE BUDGET ACT.

(6) TO INFORM AND ADVISE THE GOVERNOR ON MATTERS INVOLVING PESTICIDES, AND TO PREPARE AND RECOMMEND TO THE GOVERNOR AND THE GENERAL ASSEMBLY ANY LEGISLATION WHICH MAY BE DEEMED PROPER FOR THE MANAGEMENT AND CONTROL OF PESTICIDES IN NORTH CAROLINA.

(7) TO MAKE ANNUAL REPORTS TO THE GOVERNOR AND TO MAKE SUCH OTHER INVESTIGATIONS AND REPORTS AS MAY BE REQUESTED BY THE GOVERNOR OR THE GENERAL ASSEMBLY. (1971,C.832,S.1.)"

"PESTICIDE ADVISORY COMMITTEE: CREATION AND FUNCTIONS. —

(A) THERE IS HEREBY AUTHORIZED THE ESTABLISHMENT OF THE PESTICIDE ADVISORY COMMITTEE, WHICH SHALL ASSIST THE BOARD AND THE COMMISSIONER IN AN ADVISORY CAPACITY ON MATTERS WHICH MAY BE SUBMITTED TO IT BY THE BOARD OR THE COMMISSIONER, INCLUDING TECHNICAL QUESTIONS AND THE DEVELOPMENT OF RULES AND REGULATIONS.

(B) THE PESTICIDE ADVISORY COMMITTEE SHALL CONSIST OF FIFTEEN MEMBERS TO BE APPOINTED BY THE BOARD, AS FOLLOWS:

THREE PRACTICING FARMERS
ONE CONSERVATIONIST (AT LARGE)
ONE ECOLOGIST (AT LARGE)
ONE REPRESENTATIVE OF THE PESTICIDE INDUSTRY
ONE REPRESENTATIVE OF AGRI-BUSINESS (AT LARGE)
ONE LOCAL HEALTH DIRECTOR
THREE MEMBERS OF THE NORTH CAROLINA STATE UNIVERSITY SCHOOL OF AGRICULTURE AND LIFE SCIENCES, AT LEAST ONE OF WHICH SHALL BE FROM THE AREA OF WILDLIFE AND/OR BIOLOGY
ONE MEMBER EACH REPRESENTING THE NORTH CAROLINA DEPARTMENT OF AGRICULTURE, THE NORTH CAROLINA DEPARTMENT OF HEALTH AND A STATE CONSERVATION AGENCY
ONE REPRESENTATIVE OF A PUBLIC UTILITY OR RAILROAD COMPANY WHICH USES PESTICIDES, OR OF THE STATE HIGHWAY COMMISSION.

(C) MEMBERS OF THE PESTICIDE ADVISORY COMMITTEE SHALL SERVE AT THE PLEASURE OF THE BOARD. THE MEMBERS WHO ARE NOT OFFICERS OR EMPLOYEES OF THE STATE SHALL RECEIVE REGULAR STATE SUBSISTENCE AND TRAVEL EXPENSES. (1971, C. 832, S. 1.)"

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADULTERATED
3. BOARD
4. COMMISSIONER
5. COMMITTEE
6. DEFOLIANT
7. DESICCANT
8. DEVICE
9. ENGAGE IN BUSINESS
10. EQUIPMENT
11. FUNGI
12. FUNGICIDE
13. HERBICIDE
14. INERT INGREDIENT
15. INGREDIENT STATEMENT
16. INSECT
17. INSECTICIDE
18. LABEL
19. LABELING
20. LAND
21. MANUFACTURER
22. MISBRANDED
23. NEMATOCIDE
24. NEMATODE
25. PERSON
26. PEST CONTROL CONSULTANT
27. CONSULTANT
28. PESTICIDE
29. PESTICIDE APPLICATOR
30. PESTICIDE DEALER
31. PESTICIDE OPERATOR
32. PLANT REGULATOR
33. PUBLIC OPERATOR
34. REPELLANT
35. RESTRICTED USE PESTICIDE
36. RODENTICIDE
37. WEED
38. WILDLIFE

FINANCIAL RESPONSIBILITY:

SURETY BOND, LIABILITY INSURANCE OR CASH DEPOSIT REQUIRED IN AN AMOUNT TO BE ESTABLISHED BY THE BOARD. THE BOARD MAY ALSO REQUIRE A PERFORMANCE BOND TO ASSURE PROTECTION IN CASE OF BREACH OF CONTRACT.

REGULATIONS REQUIRE: (MINIMUM)

1. PESTICIDE APPLICATOR (AERIAL)	
PROPERTY DAMAGE	$ 50,000/100,000
BODILY INJURY	50,000/100,000
2. PESTICIDE APPLICATORS (GROUND)	
PROPERTY DAMAGE	10,000/25,000
BODILY INJURY	50,000/100,000
3. MAXIMUM DEDUCTIBLE	250.00

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF THE ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100, NOR MORE THAN $1000, OR IMPRISONMENT FOR NOT MORE THAN 90 DAYS, OR BOTH FINE AND IMPRISONMENT. EACH DAY OF VIOLATION FOLLOWING RECEIPT OF WRITTEN NOTICE FROM THE BOARD CONSTITUTES ANOTHER VIOLATION.

RELEVANT LAWS:

STRUCTURAL PEST CONTROL ACT OF NORTH CAROLINA OF 1955
(N. C. GEN. STAT., § 106-65.22 TO 106-65.33, SUPP. 1971)

AN ACT REGULATING THOSE WHO CONTROL WOOD-DESTROYING ORGANISMS AND HOUSEHOLD PESTS. INCLUDES FUMIGATORS.

LABELING OF HOUSEHOLD CLEANERS
(N. C. GEN STAT., § 66.85 TO 66.88, 1965)

AN ACT TO REQUIRE THAT MANUFACTURERS OF HOUSEHOLD CLEANERS WHICH CONTAIN VOLATILE SUBSTANCES CAPABLE OF PRODUCING TOXIC EFFECTS TO LABEL SUCH CLEANERS WITH A WARNING AS TO THEIR CONTENTS AND WITH DIRECTIONS AS TO THEIR SAFE USE.

NORTH CAROLINA PLANT PEST LAW
(N. C. GEN. STAT., § 106-419 ET SEQ., 1966)

THE ACT AUTHORIZES THE BOARD OF AGRICULTURE TO ISSUE REGULATIONS RELATING TO THE CONTROL OF PLANT PESTS, INCLUDING INSPECTION AND QUARANTINE. IT INCLUDES REGULATION AND LICENSING OF PLANT NURSERIES.

PROTECTION OF FORESTS AGAINST INSECT INFESTATIONS AND DISEASE
(N. C. GEN. STAT., § 113-60.5 ET SEQ., 1966)

PLACES AUTHORITY AND RESPONSIBILITY WITHIN THE DEPARTMENT OF CONSERVATION AND DEVELOPMENT, DIVISION OF FORESTRY, FOR INVESTIGATING INSECT INFESTATIONS OR DISEASE INFECTIONS AND DEVISING OR EFFECTING CONTROL MEASURES.

NORTH DAKOTA

TITLE: "NORTH DAKOTA PESTICIDE ACT OF 1975"
(N.D. CENT. CODE, § 4-35-01 TO 4-35-28, SUPP. 1975)

PROHIBITED ACTS: UNLAWFUL FOR ANY PERSON TO PURCHASE, USE, OR SUPERVISE THE USE OF RESTRICTED PESTICIDES, UNLESS CERTIFIED. DEALERS IN RESTRICTED PESTICIDES MUST BE LICENSED.

EXEMPTIONS: LABORATORY RESEARCH WORK; DOCTORS OF MEDICINE, AND VETERINARIANS IN THEIR PRACTICE.

CERTIFICATION OR LICENSING:

CATEGORIES
- ORNAMENTAL OR AGRICULTURAL PESTICIDE APPLICATORS
- PEST CONTROL OPERATORS
- PUBLIC OPERATORS
- RIGHT-OF-WAY APPLICATORS
- OTHER CATEGORIES AUTHORIZED BY REGULATION

QUALIFICATIONS: TO BE ESTABLISHED BY REGULATIONS OF THE BOARD. MAY ACCEPT FEDERAL STANDARDS.

APPLICATION: MADE TO COUNTY AGENT IN COUNTY OF RESIDENCE.

EXAMINATION: APPLICANTS EXAMINED BY THE COUNTY AGENT, AND IF FOUND QUALIFIED ARE THEN CERTIFIED.

FEES

COMMERCIAL APPLICATORS EXAMINATION FEE	$ 5.00
COMMERCIAL APPLICATORS LICENSE	25.00
PESTICIDE DEALERS LICENSE	10.00
PUBLIC OPERATOR LICENSE	NO FEE
PRIVATE APPLICATOR CERTIFICATE	NO FEE

ISSUANCE: LICENSE ISSUED BY COUNTY TREASURER TO CERTIFIED APPLICATORS. PRIVATE APPLICATOR CERTIFICATE ISSUED BY COUNTY AGENT, NO LICENSE REQUIRED. LICENSES EXPIRE DECEMBER 31.

RENEWAL: REEXAMINATION REQUIRED ONLY WHEN NEW KNOWLEDGE AND TECHNOLOGY MAY SO REQUIRE.

NONRESIDENTS: PROVISIONS FOR RECIPROCITY. MUST APPOINT RESIDENT AGENT TO ACCEPT SERVICE OF LEGAL PROCESSES.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD:

"THERE IS HEREBY CREATED THE PESTICIDE CONTROL BOARD, HEREINAFTER ALSO CALLED THE "BOARD", CONSISTING OF THE COMMISSIONER OF AGRICULTURE, THE DIRECTOR OF THE COOPERATIVE EXTENSION DIVISION OF THE NORTH DAKOTA STATE UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCE, AND THE DIRECTOR OF THE AGRICULTURAL EXPERIMENT STATION AT NORTH DAKOTA STATE UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCE. THE COMMISSIONER OF AGRICULTURE SHALL BE CHAIRMAN OF THE BOARD AND SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF THIS ACT. THE BOARD SHALL MEET AT THE CALL OF THE CHAIR. THE MEMBERS OF THE BOARD SHALL BE COMPENSATED FOR THEIR EXPENSES IN PERFORMING THEIR DUTIES UNDER THIS ACT AT THE SAME RATE AS OTHER STATE OFFICIALS AND THE BOARD'S EXPENSES SHALL BE PAID FROM FUNDS PROVIDED FOR THE ADMINISTRATION OF THIS ACT TO THE COMMISSIONER OF AGRICULTURE. THE BOARD MAY THROUGH THE OFFICE OF THE COMMISSIONER OF AGRICULTURE, AND ONE PERSON ON THE COMMISSIONER'S STAFF MAY BE SPECIFICALLY RESPONSIBLE TO, OR ACT AS THE STATE-LEVEL AGENT OF, THE BOARD.

DEFINITIONS:

1. ANIMAL
2. ANTIMITE
3. BENEFICIAL INSECT
4. CERTIFIED APPLICATOR
5. COMMERCIAL APPLICATOR
6. DEFOLIANT
7. DESICCANT
8. DEVICE
9. DISTRIBUTE
10. ENVIRONMENT
11. EQUIPMENT
12. FUNGUS
13. INSECT
14. LABEL
15. LABELING
16. LAND
17. NEMATODE
18. PERSON
19. PEST
20. PESTICIDE
21. PESTICIDE DEALER
22. PLANT REGULATOR
23. PRIVATE APPLICATOR
24. PROTECT HEALTH AND ENVIRONMENT
25. PUBLIC OPERATOR
26. RESTRICTED USE PESTICIDE
27. SNAILS OR SLUGS
28. TANK MIX
29. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
30. WEED
31. WILDLIFE

FINANCIAL RESPONSIBILITY:	NO REQUIREMENTS.
PENALTIES:	
CIVIL	NONE.
CRIMINAL	VIOLATION OF ACT BY COMMERCIAL APPLICATORS AND DEALERS CONSTITUTES A CLASS A MISDEMEANOR. VIOLATION OF ACT BY PRIVATE APPLICATOR CONSTITUTES A CLASS B MISDEMEANOR.
RELEVANT LAWS:	"INSECTICIDE FUNGICIDE AND RODENTICIDE ACT OF 1947" (REGISTRATION LAW) (N. D. CENT. CODE, § 19-18-01 TO 19-18-11, 1971)
	AERIAL SPRAYING (SPRAYING, DUSTING, FERTILIZING AND INSECT CONTROL) (N. D. CENT. CODE, § 2-05-18, SUPP. 1973)

NORTH DAKOTA

TITLE:	AERIAL SPRAYING (SPRAYING, DUSTING, FERTILIZING AND INSECT CONTROL) (N. D. CENT. CODE, § 2-05-18, SUPP. 1973)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN AERIAL SPRAYING WITHOUT OBTAINING A LICENSE FOR EACH AIRCRAFT FROM NORTH DAKOTA AERONAUTICS COMMISSION.
EXEMPTIONS:	NONE, BUT CERTAIN PRIVILEGES GRANTED PRIVATE PILOT SPRAYING ON OWN LAND.
CERTIFICATION OR LICENSING:	
CATEGORIES	CERTIFIED AGRICULTURAL CHEMICAL AERIAL APPLICATOR
QUALIFICATIONS	NOT SPECIFIED IN ACT EXCEPT MUST COMPLY WITH ALL REGULATIONS OF AERONAUTICS COMMISSION, AND FAA. CHIEF PILOT MUST HAVE CERTAIN MINIMUM HOURS OF FLYING EXPERIENCE AS AERIAL AGRICULTURAL APPLICATOR.
APPLICATION	ON FORMS PROVIDED BY COMMISSION.
EXAMINATION	OPEN BOOK EXAMINATIONS. ANNUAL AERIAL APPLICATORS EDUCATIONAL SEMINAR CONDUCTED EACH YEAR BY EXTENSION SERVICE OF STATE UNIVERSITY, AT WHICH TIME APPLICANTS MAY TAKE EXAMINATION.
FEES	EACH AIRCRAFT $ 15.00
ISSUANCE	LICENSE ISSUED UPON PAYMENT OF FEES AND COMPLIANCE WITH REGULATIONS. VALID FOR TWO YEARS. MAY BE REVOKED FOR CAUSE.
RENEWAL	UPON APPLICATION.
NONRESIDENTS	PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	NO	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	NO	REQUIRE COMPLIANCE WITH LABEL	NO
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	NO

CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	NO	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS: NONE.

FINANCIAL RESPONSIBILITY: APPLICANTS MUST FURNISH AFFIDAVIT THAT THERE ARE NO UNSETTLED CLAIMS OR UNSATISFIED JUDGMENTS RESULTING FROM PRIOR AERIAL PESTICIDE OPERATIONS IN NORTH DAKOTA. NONRESIDENTS MUST POST BOND IN AMOUNT EQUAL TO THAT OF THEIR STATE OF RESIDENCE.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF SECTION 2-05-18 SUBJECT TO A FINE NOT EXCEEDING $100, OR IMPRISONMENT FOR NOT MORE THAN 30 DAYS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT OF 1947"
(REGISTRATION LAW)
(N. D. CENT. CODE, § 19-18-01 TO 19-18-11, 1971)

AMENDED MARCH 29, 1971; ADMINISTERED BY THE STATE FOOD COMMISSIONER AND CHEMIST, STATE LABORATORIES DEPARTMENT.

"LIVESTOCK MEDICINE"
(N. D. CENT. CODE, § 19-14-01 TO 19-14-08, 1960)

"HAZARDOUS SUBSTANCES LABELING ACT"
(N. D. CENT. CODE, § 19-21-01 TO 19-21-10, 1960)

INTERSTATE PEST CONTROL COMPACT
(N. D. CENT. CODE, § 4-33-01 TO 4-33-09, 1960)

"NORTH DAKOTA PESTICIDE ACT OF 1975"
(N. D. CENT. CODE, § 4-35-01 TO 4-35-26, SUPP. 1975)

OHIO

TITLE:	PESTICIDE USE AND APPLICATION ACT (OHIO REV. CODE, § 921.41 TO 921.53, SUPP. 1974)
PROHIBITED ACTS:	UNLAWFUL TO ACT AS A (1) PESTICIDE APPLICATOR, (2) PESTICIDE OPERATOR, OR (3) PUBLIC OPERATOR UNLESS LICENSED BY THE DIRECTOR OF AGRICULTURE.
EXEMPTIONS:	APPLICATION BY A PERSON UPON HIS OWN PROPERTY OR BY INDIVIDUALS UPON LAND THEY LEASE FOR AGRICULTURAL PURPOSES, APPLICATION BY STATE OR FEDERAL AGENCIES, AND GOVERNMENT RESEARCH PERSONNEL APPLYING PESTICIDES FOR EXPERIMENTAL PURPOSES (NO EXEMPTION FOR A "RESTRICTED USE PESTICIDE"), AND STRUCTURAL PEST CONTROL. ALL PERSONS WHO PURCHASE OR USE RESTRICTED USE PESTICIDES MUST OBTAIN A PERMIT FROM COUNTY EXTENSION AGENT OR OTHER DESIGNATED OFFICES.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AERIAL PEST CONTROL
2. AGRICULTURAL PEST CONTROL
   A. AGRONOMIC PEST CONTROL
   B. HORTICULTURAL PEST CONTROL
   C. AGRICULTURAL WEED CONTROL
3. AQUATIC PEST CONTROL
   A. GENERAL AQUATIC PEST CONTROL
   B. SWIMMING POOL PEST CONTROL
4. MOSQUITO, HOUSEFLY AND VECTOR CONTROL
5. INDUSTRIAL VEGETATION CONTROL
   A. GENERAL INDUSTRIAL VEGETATION CONTROL
   B. TIMBER STAND IMPROVEMENT (TSI)
   C. BLACKTOPPING
6. ORNAMENTAL PLANT AND SHADE TREE PEST CONTROL
7. VERTEBRATE ANIMAL CONTROL
8. TURF PEST CONTROL
9. ANIMAL PEST CONTROL
   A. GENERAL ANIMAL PEST CONTROL
   B. SHEEP DIPPING
10. SPECIALIZED
   A. TOBACCO SUCKER CONTROL
   B. SOIL FUMIGATION

QUALIFICATIONS	DIRECTOR MUST FIND "APPLICANT QUALIFIED."
APPLICATION	" ... SHALL BE MADE ON A FORM PRESCRIBED BY THE DIRECTOR ... SHALL STATE THE APPLICANT'S QUALIFICATIONS ... TYPE OF OPERATION ... AND OTHER INFORMATION ... "
EXAMINATION	"THE DIRECTOR SHALL REQUIRE EACH APPLICANT ... TO BE EXAMINED ON HIS KNOWLEDGE OF THE PROPER USE AND APPLICATION OF PESTICIDES ... "

FEES

PESTICIDE APPLICATOR	$ 50.00
PESTICIDE OPERATOR	10.00
PUBLIC OPERATOR	NONE

ISSUANCE

LICENSE ISSUED UPON APPLICANT BEING FOUND QUALIFIED. LICENSES EXPIRE ON THE LAST DAY OF FEBRUARY. DIRECTOR MAY DETERMINE THAT A NEW EXAMINATION IS REQUIRED. LICENSES MAY BE CANCELLED FOR LISTED VIOLATION OF THE ACT OR REGULATIONS.

RENEWAL: RENEWABLE UPON PAYMENT OF FEE. IF APPLICATION FOR RENEWAL FILED AFTER MARCH 1, PENALTY OF 25% ADDED TO FEE.

NONRESIDENTS: PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	YES

PESTICIDE BOARD: " ... THERE IS HEREBY CREATED AN INTERAGENCY PESTICIDE ADVISORY COUNCIL CONSISTING OF THE DIRECTOR OF AGRICULTURE OR HIS DESIGNEE WHO SHALL SERVE AS CHAIRMAN, THE DIRECTOR OF ENVIRONMENTAL PROTECTION, THE DIRECTOR OF HEALTH, THE DIRECTOR OF NATURAL RESOURCES, DEAN OF THE COLLEGE OF AGRICULTURE OF THE OHIO STATE UNIVERSITY, THE DEAN OF THE COLLEGE OF BIOLOGICAL SCIENCES OF THE OHIO STATE UNIVERSITY ... THE DIRECTOR OF THE OHIO AGRICULTURAL RESEARCH AND DEVELOPMENT CENTER ... ONE MEMBER OF THE HOUSE OF REPRESENTATIVES AND ONE MEMBER OF THE SENATE ... TO FORMULATE POLICIES AND CO-ORDINATE EFFORTS AMONG STATE AGENCIES ..."

" ... THE DIRECTOR OF AGRICULTURE SHALL ESTABLISH ... A COMMITTEE OF NOT LESS THAN 5, NOR MORE THAN 11, MEMBERS TO ASSIST HIM IN

ESTABLISHING STANDARDS OF TRAINING, EXAMINATION AND LICENSING OF ... APPLICATORS OR ... OPERATORS ..."

DEFINITIONS:

1. AIRCRAFT	7. PESTICIDE APPLICATOR
2. BENEFICIAL INSECTS	8. PESTICIDE OPERATOR
3. CUSTOM APPLICATION	9. PUBLIC OPERATOR
4. GROUND EQUIPMENT	10. RESTRICTED USE PESTICIDE
5. PEST	11. STRUCTURE
6. PESTICIDE	12. WILDLIFE

THE ACT ALSO ADOPTS BY REFERENCE ALL OF THE DEFINITIONS USED IN THE ECONOMIC POISON ACT.

FINANCIAL RESPONSIBILITY:

CATEGORIES 5B, 6(GROUND), AND 5C:

INSURANCE	
BODILY INJURY	$ 25,000/50,000
PROPERTY DAMAGE	10,000/25,000
OR,	
SURETY BOND	
BODILY INJURY	50,000.00
PROPERTY DAMAGE	25,000.00

CATEGORY 5B:

INSURANCE	
BODILY INJURY	10,000/20,000
PROPERTY DAMAGE	10,000/20,000
OR,	
SURETY BOND	20,000.00

ALL OTHER CATEGORIES

INSURANCE	
BODILY INJURY	100,000/300,000
PROPERTY DAMAGE	20,000/100,000
OR,	
SURETY BOND	300,000.00

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE LAW SUBJECT TO A FINE OF NOT MORE THAN $200; SUBSEQUENT VIOLATIONS SUBJECT TO A FINE OF NOT MORE THAN $500 OR IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

ECONOMIC POISON LAW (REGISTRATION LAW)
(OHIO REV. CODE, § 921.11 TO 921.18, SUPP. 1974)

CONTROL MEASURES FOR HERBICIDES
(OHIO REV. CODE, § 921.05 TO 921.07, 1954)

LABELING HAZARDOUS SUBSTANCES
(OHIO REV. CODE, § 3716.01 TO 3716.08, 1954)

OKLAHOMA

TITLE: "OKLAHOMA PESTICIDE APPLICATORS LAW"
(OKLA. STAT. TIT. 2, § 3-81 TO 3-88, 1971)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN CUSTOM APPLICATION OF PESTICIDES WITHOUT A (PERMIT) LICENSE FROM THE STATE BOARD OF AGRICULTURE.

EXEMPTIONS: THE ACT EXEMPTS THE APPLICATION OF PESTICIDES ON LAWNS, TREES, SHRUBS, AND IN THE CONTROL OF TERMITES AND HOUSEHOLD INSECTS. THESE ACTS ARE COVERED UNDER SEPARATE LAWS.

CERTIFICATION OR LICENSING:

CATEGORIES: CUSTOM APPLICATOR
HERBICIDE APPLICATOR

QUALIFICATIONS: THE BOARD MUST FIND THE APPLICANT "QUALIFIED" AND POSSESSING "FITNESS" AS AN APPLICATOR.

APPLICATION: THE FORM PRESCRIBED BY THE BOARD SHALL CONTAIN INFORMATION REGARDING THE APPLICANT'S QUALIFICATIONS AND PROPOSED OPERATIONS AND "SUCH OTHER INFORMATION AS MAY BE SPECIFIED BY THE BOARD."

EXAMINATION: WRITTEN EXAMINATION REQUIRED.

FEES:

RESIDENT AERIAL APPLICATOR	$ 25.00
NONRESIDENT AERIAL APPLICATOR	25.00
FOR EACH AIRCRAFT	10.00
OTHER APPLICATORS	SAME
RENEWAL FEE	

ISSUANCE: ALL PERMITS EXPIRE AT END OF CALENDAR YEAR. PERMITS MAY BE SUSPENDED, CANCELLED, OR REVOKED BY THE BOARD AFTER GRANTING THE LICENSEE AN OPPORTUNITY FOR A HEARING AND UPON FINDING CERTAIN SPECIFIED FACTS OF WRONGDOING.

RENEWAL: MAY BE RENEWED WITHOUT EXAMINATION IF APPLICATION FOR RENEWAL IS MADE BEFORE MARCH 1, OTHERWISE A WRITTEN EXAMINATION IS REQUIRED.

NONRESIDENTS: MUST APPOINT AND FILE WITH THE BOARD THE NAME AND ADDRESS OF A RESIDENT "SERVICE AGENT;" OTHERWISE, THE SECRETARY OF THE BOARD OF AGRICULTURE SHALL SERVE AS THE "SERVICE AGENT."

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	NO
DELEGATE DUTIES	NO	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	NO	REQUIRE COMPLIANCE WITH LABEL	NO
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	NO	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. AIRCRAFT
2. APPLICATOR
3. BOARD
4. CUSTOM APPLICATION OF PESTICIDES
5. DEFOLIANT
6. DESICCANT
7. FUNGI
8. FUNGICIDE
9. GROUND EQUIPMENT
10. HERBICIDE
11. INSECT
12. INSECTICIDE
13. PERSON
14. PESTICIDE
15. WEED

FINANCIAL RESPONSIBILITY: THE AMOUNT, FORM, AND SUFFICIENCY OF THE BOND IS SUBJECT TO THE APPROVAL OF THE BOARD.

PRESENT REGULATIONS REQUIRE:	
ONE OR TWO AIRCRAFT, MINIMUM	$ 3,000.00
PLUS, EACH ADDITIONAL AIRCRAFT	1,000.00
ONE GROUND SPRAY UNIT	1,000.00
ONE AIRCRAFT AND ONE GROUND UNIT	3,000.00
PLUS, EACH ADDITIONAL AIRCRAFT	1,000.00
PLUS, EACH ADDITIONAL GROUND UNIT	300.00
(NURSE TANK USED FOR SERVING ONE OR SEVERAL KNAPSACK SPRAYERS IS A UNIT.)	
NONRESIDENT APPLICATORS' BOND	15,000.00

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT IS A MISDEMEANOR PUNISHABLE BY A FINE OF FROM $100 TO $300, OR IMPRISONMENT IN THE COUNTY JAIL FROM ONE TO SIX MONTHS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

OKLAHOMA PESTICIDE LAW (REGISTRATION LAW)
(OKLA. STAT. TIT. 2, § 3-61 TO 3-70, 1971)

OKLAHOMA PHENOXY HERBICIDE LAW
(OKLA. STAT. TIT. 2, § 3-251 TO 3-259, 1971)

REQUIRES DEALERS WHO SELL PHENOXY HERBICIDES TO OBTAIN PERMITS AND KEEP RECORDS, AND REQUIRES USERS WHO BUY ONE QUART OR MORE OF A PHENOXY HERBICIDE TO KEEP RECORDS AND REPORT TO THE STATE DEPARTMENT OF AGRICULTURE UPON REQUEST.

WOOD PRESERVATIVE LAW
(OKLA. STAT. TIT. 2, § 2-301 TO 2-309, 1971)

REQUIRES COMMERCIAL WOOD TREATMENT OPERATORS TO REGISTER WITH THE STATE DEPARTMENT OF AGRICULTURE AND TO COMPLY WITH STANDARDS ESTABLISHED BY THE DEPARTMENT.

ORNAMENTAL SPRAYING AND PRUNING LAW
(OKLA. STAT. TIT. 2, § 3-271 TO 3-279, 1971)

REQUIRES THE LICENSING OF PERSONS WHO ENGAGE IN THE BUSINESS OF SPRAYING OR PRUNING TREES, SHRUBS, OR WEEDS.

"STRUCTURAL PEST CONTROL ACT"
(OKLA. STAT. TIT. 2, § 3-171 TO 3-180, 1971)

REGULATES PERSONS WHO CONTROL PESTS IN STRUCTURES.

AN ACT RELATING TO FOOD AND FEED PRODUCTS FOR HUMAN AND ANIMAL CONSUMPTION 1/
(OKLA. STAT. TIT. 2, § 2-19 TO 2-24, 1971)

AMONG OTHER THINGS, ESTABLISHES A/ ANALYTICAL LABORATORY AND AUTHORIZES THE ESTABLISHMENT OF TOLERANCES FOR PESTICIDE RESIDUES IN FOODSTUFFS. PERMITS STAGGERING OF RENEWAL DATES FOR LICENSES AND PERMITS ISSUED BY THE DEPARTMENT.

OKLAHOMA

TITLE: "STRUCTURAL PEST CONTROL ACT"
(OKLA. STAT., TIT. 2, §§ 3-171 TO 3-185, 1971)

PROHIBITED ACTS: UNLAWFUL TO OPERATE, ACT OR DO BUSINESS AS A STRUCTURAL PEST CONTROL OPERATOR UNLESS LICENSED BY THE STATE BOARD OF AGRICULTURE.

EXEMPTIONS: QUALIFIED STATE AND FEDERAL EMPLOYEES PERFORMING THEIR OFFICIAL DUTIES; PERSONS WORKING ON THEIR OWN PREMISES; AND WAGE HANDS UNDER SUPERVISION, EXCEPT IN FUMIGATION AND IN THE USE OF SODIUM FLUORO-ACETATE.

CERTIFICATION OR LICENSING:

CATEGORIES (PHASES)

1. FUMIGATION
2. GENERAL PEST
3. TERMITE

QUALIFICATIONS (1) TWO YEARS EXPERIENCE AS AN EMPLOYEE, EMPLOYER, OR OWNER OPERATOR OF A BUSINESS, OR,

(2) ONE YEAR TRAINING IN COLLEGE OR UNIVERSITY, PLUS ONE YEAR EXPERIENCE, OR,

(3) TWO YEARS OF COLLEGE WITH MAJOR COURSES COMPLETED IN ENTOMOLOGY.

APPLICATION ON FORMS PROVIDED BY BOARD, PLUS A FEE OF $25 AT TIME EXAMINATION IS TAKEN.

EXAMINATION WRITTEN AND PRACTICAL EXAMINATION REQUIRED; GIVEN IN JANUARY, APRIL, JULY AND OCTOBER IN OKLAHOMA CITY, OKLAHOMA; EXAMINATION MUST BE REPEATED IF APPLICANT FAILS TO COMPLETE REQUIREMENTS FOR A LICENSE WITHIN ONE YEAR.

FEES

EXAMINATION	$ 25.00
ISSUANCE OR RENEWAL OF LICENSE (ALL PHASES)	25.00

ISSUANCE UPON COMPLETION OF ALL REQUIREMENTS; LICENSES EXPIRE DECEMBER 31.

RENEWAL RENEWABLE WITHOUT EXAMINATION, IF APPLICATION FILED BY JANUARY 1 (BUT IF NOT, RE-EXAMINATION REQUIRED).

NONRESIDENTS NO PROVISION FOR RECIPROCITY. IF LICENSEE "RESIDES" OUTSIDE THE STATE, HE MUST BE PRESENT AT ALL TIMES TO SUPERVISE WORK BEING DONE WITHIN THE STATE.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT USAGE	YES
ENTER AND INSPECT PROPERTY	YES	COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES

INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RECORDS/REPORTS KEEP TWO YEARS	NO
OPEN FOR INSPECTION	NO	SUBMIT COPIES	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

(TECHNICAL ADVISORY COUNCIL; A GROUP OF FOUR MEN; ONE DESIGNATED BY THE HEAD OF THE ENTOMOLOGY DEPARTMENT, OKLAHOMA STATE UNIVERSITY; ONE BY THE HEAD OF THE OKLAHOMA STATE HEALTH DEPARTMENT; AND TWO BY THE OKLAHOMA PEST CONTROL ASSOCIATION.)

DEFINITIONS:

(LAW)

1. BOARD
2. FUNGI
3. INSECT
4. LICENSEE
5. PERSON
6. PESTICIDE
7. QUALIFIED OPERATOR
8. RODENT
9. STRUCTURAL PEST CONTROL
   A. FUMIGATOR
   B. GENERAL PEST CONTROL OPERATOR
   C. TERMITE OPERATOR
10. TECHNICAL ADVISORY COUNCIL
11. TERMITE INSPECTION REPORT

(REGULATION)

1. SODIUM FLUOROACETATE

FINANCIAL RESPONSIBILITY: NONE.

PENALTIES:

CIVIL	NONE.
CRIMINAL	VIOLATION OF ACT CONSTITUTES MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100 NOR MORE THAN $500, OR IMPRISONMENT IN THE COUNTY JAIL FOR NOT LESS THAN 30 DAYS, NOR MORE THAN SIX MONTHS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"OKLAHOMA PESTICIDE APPLICATORS LAW"
(OKLA. STAT., TIT. 2, § 3-81 TO 3-88, 1971)

OKLAHOMA PESTICIDE LAW (REGISTRATION LAW)
(OKLA. STAT., TIT. 2, § 3-61 TO 3-70, 1971)

OREGON

TITLE:	"STATE PESTICIDE CONTROL ACT"* (ORE. REV. STAT., § 634.006 TO 634.992, SUPP. 1974)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES OR TO ACT AS A DEALER, UNLESS LICENSED BY THE STATE DEPARTMENT OF AGRICULTURE. APPLICATORS USING RESTRICTED USE PESTICIDES MUST BE CERTIFIED.
EXEMPTIONS:	NO LICENSE REQUIRED FOR THE STATE OF OREGON AND ITS AGENCIES, COUNTIES, CITIES, MUNICIPAL CORPORATIONS, IRRIGATION AND DRAINAGE DISTRICTS, PUBLIC UTILITIES, MANUFACTURERS, AND GOVERNMENTAL AGENCIES USING PESTICIDES IN RESEARCH; FARMERS AND LANDOWNERS; GARDENERS AND CARETAKERS USING MANUALLY OPERATED EQUIPMENT; RETAILERS (UNLESS DEMONSTRATING APPLICATION OF PESTICIDES); RAILROADS (EXCEPT WHEN USING VOLATILE HERBICIDES IN POWER EQUIPMENT); MANUAL LABORERS; AND SLIMICIDE APPLICATORS.

CERTIFICATION OR LICENSING:

CATEGORIES	PESTICIDE APPLICATOR	PRIVATE APPLICATOR
	PESTICIDE CONSULTANT	PUBLIC APPLICATOR
	PESTICIDE OPERATOR	PUBLIC TRAINEE

REGULATIONS ESTABLISH THE FOLLOWING TYPES OF PESTICIDE LICENSES:

TYPE 1 - HERBICIDE LICENSE
TYPE 2 - INSECTICIDE-FUNGICIDE LICENSE
TYPE 3 - STRUCTURAL PEST AND RODENTICIDE LICENSE
TYPE 4 - FUMIGATION LICENSE

CHOICE OF PESTICIDES BY LICENSEES IS LIMITED TO THOSE NORMALLY USED OR LABELED FOR THEIR SPECIAL USAGE.

QUALIFICATIONS	EIGHTEEN YEARS OF AGE; EXPERIENCE AS A TRAINEE OR WITH MINIMUM EDUCATIONAL QUALIFICATIONS, OR UNUSUAL OR ACTIVE EXPERIENCE EQUAL TO MINIMUM STANDARDS.
APPLICATION	ON FORMS PRESCRIBED BY THE DEPARTMENT.
EXAMINATION	WRITTEN EXAMINATION REQUIRED COVERING SPECIFIC AREAS OF PESTICIDE USAGE. EXCEPT - WRITTEN EXAMINATION NOT REQUIRED FOR APPLICANTS WITH FOUR YEARS OF COLLEGE, MAJORING IN ENTOMOLOGY OR AGRONOMY; A TRAINEE COMPLETING 1,000 HOURS EXPERIENCE; FORMER LICENSEES WHO WORKED THREE MONTHS DURING A YEAR IN TWO OUT OF THE LAST THREE YEARS.

FEES		
	PESTICIDE OPERATORS (ONE CLASSIFICATION)	$ 35.00
	EACH ADDITIONAL CLASSIFICATION	10.00
	EACH ADDITIONAL CLASSIFICATION AFTER LICENSE ISSUED	15.00
	PESTICIDE APPLICATOR (ONE CLASSIFICATION)	10.00
	EACH ADDITIONAL CLASSIFICATION	5.00
	EACH ADDITIONAL CLASSIFICATION AFTER LICENSE ISSUED	10.00
	TRAINEES (SAME FEES AS APPLICATORS)	
	PUBLIC - APPLICATORS OR TRAINEES	7.50
	DEALERS (EACH SALES OUTLET)	10.00
	CONSULTANTS	10.00
	REEXAMINATION FEE	5.00
	PRIVATE APPLICATOR CERTIFICATION	NONE

*PORTIONS OF THE LAW RELATING TO THE REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

ISSUANCE	LICENSE ISSUED UPON RECEIVING A PASSING GRADE. ALL LICENSES EXPIRE DECEMBER 31. DELINQUENT RENEWAL INVOKES 20% PENALTY. DEPARTMENT MAY SUSPEND, REVOKE, OR REFUSE TO RENEW LICENSE OF PERSONS FOUND TO BE IN VIOLATION OF ACT. "SPECIAL APPLICATOR" AND "SPECIAL TRAINEE" LICENSE ISSUED WITHOUT COST TO INDIVIDUALS IN GOVERNMENT EMPLOYMENT. "FUMIGATORS" REGISTERED WITH THE STATE BOARD OF HEALTH MAY BE EXEMPTED FROM PAYING LICENSE FEE.
RENEWAL	RENEWABLE UPON PAYMENT OF FEE, WHEN DUE. APPLICATORS DELINQUENT OVER 30 DAYS REQUIRED TO TAKE WRITTEN EXAMINATION. PERSONS APPLYING FOR RENEWAL WHO HAVE NOT BEEN ENGAGED IN BUSINESS FOR SIX MONTHS, OR SINCE EXPIRATION OF LICENSE, NOT SUBJECT TO PENALTY.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	NO	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE. ADVICE MAY BE RECEIVED FROM THE COMMITTEE ON SYNTHETIC CHEMICALS IN THE ENVIRONMENT. THERE IS A COMMITTEE ON SYNTHETIC CHEMICALS IN THE ENVIRONMENT CONSISTING OF 12 MEMBERS REPRESENTING BOTH INDUSTRY AND GOVERNMENT.

DEFINITIONS:

1. ANTIDOTE
2. BRAND OR TRADE MARK
3. DEFOLIANT
4. DEPARTMENT
5. DESICCANT
6. DEVICE
7. FUNGICIDE
8. HERBICIDE
9. HIGHLY TOXIC
10. INSECTICIDE
11. LANDOWNER
12. NEMATOCIDE
13. PESTICIDE
14. PESTICIDE APPLICATOR
15. PESTICIDE CONSULTANT
16. PESTICIDE DEALER
17. PESTICIDE EQUIPMENT
18. PESTICIDE OPERATOR
19. PESTICIDE TRAINEE
20. PLANT REGULATOR
21. PRIVATE APPLICATOR
22. PROPOSED STANDARD OF QUALITY
23. PROTECTED AREA
24. PUBLIC APPLICATOR
25. PUBLIC TRAINEE
26. REGISTRANT
27. RESTRICTED AREA
28. RESTRICTED USE PESTICIDE
29. WEED

FINANCIAL RESPONSIBILITY: PROOF MUST BE FURNISHED TO DEPARTMENT BEFORE ISSUANCE OR RENEWAL OF LICENSE. NOT LESS THAN $25,000 BODILY INJURY AND $25,000 PROPERTY DAMAGES. AIRCRAFT OPERATORS MAY BE PERMITTED TO REDUCE, SUSPEND, OR DROP COVERAGE DURING NONACTIVE PERIODS. DEDUCTIBLE AMOUNTS (N.T.E. $1,000) MAY BE PERMITTED.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT UPON FIRST CONVICTION SUBJECT TO A $1,000 FINE OR ONE YEAR IMPRISONMENT, OR BOTH FINE AND IMPRISONMENT. SUBSEQUENT CONVICTIONS SUBJECT TO A $5,000 FINE, OR ONE YEAR IMPRISONMENT, OR BOTH FINE AND IMPRISONMENT.

PROTECTED AND RESTRICTED AREAS: THIS ACT PROVIDES FOR THE ESTABLISHMENT AND ADMINISTRATION OF GEOGRAPHICAL "PROTECTED AREAS" IN WHICH THE USE AND APPLICATION OF HERBICIDES AND INSECTICIDES ARE REGULATED BY A GOVERNING BODY. THE GOVERNING BODY MAY REGULATE THE TIME, PLACE, MANNER, AND METHOD OF APPLYING HERBICIDES AND INSECTICIDES TO PREVENT DAMAGE OR INJURY TO SUSCEPTIBLE CROPS OR INSECTS. "RESTRICTED AREAS" MAY ALSO BE ESTABLISHED ON THE PERIMETER OF THE "PROTECTED AREAS" TO FURTHER PROTECT FROM DRIFT OF PESTICIDES. THE GOVERNING BODY HAS BEEN GRANTED LIMITED TAXING AUTHORITY TO FINANCE ADMINISTRATION OF THE "DISTRICT."

RELEVANT LAWS:

FOOD, DRINK, AND SANITATION LAWS
(ORE. REV. STAT., § 616.005 TO 616.990, 1967)

FEEDS, FERTILIZERS, AND SEEDS
(ORE. REV. STAT., § 633.006 TO 633.990, 1967)

DRUGS, POISONS, CAUSTICS AND CORROSIVES
(ORE. REV. STAT., § 453.010 TO 453.320, 1967)

PENNSYLVANIA

TITLE:	"PENNSYLVANIA PESTICIDE CONTROL ACT OF 1973"* (PA. STAT. ANN., TIT. 3 § 111.21 TO 111.61, SUPP. 1975-1976)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF SELLING, OR MAKING CUSTOM APPLICATION OF RESTRICTED USE PESTICIDES UNLESS LICENSED BY THE SECRETARY OF AGRICULTURE. PEST MANAGEMENT CONSULTANTS MUST BE LICENSED AND FARMERS REQUIRED TO OBTAIN A PERMIT TO USE RESTRICTED PESTICIDES.
EXEMPTIONS:	DEALERS, APPLICATORS, FARMER, AND CONSULTANTS (AND ALL OTHER ASPECTS) WHEN RELATING ONLY TO GENERAL USE PESTICIDES.
CERTIFICATION OR LICENSING:	
CATEGORIES	TO BE ESTABLISHED BY REGULATIONS. MAY BE SAME AS FEDERAL CATEGORIES.
QUALIFICATIONS	MAY BE ESTABLISHED BY REGULATIONS.
APPLICATION	ON FORMS PROVIDED BY SECRETARY.
EXAMINATION	WRITTEN, TO DEMONSTRATE KNOWLEDGE.

FEES

DEALERS, EACH OUTLET	$ 10.00
PEST MANAGEMENT CONSULTANT	25.00
COMMERCIAL APPLICATOR	50.00
PRIVATE APPLICATORS (PERMIT)	NONE
EXAMINATION FEE	NONE
EXAMINATION, OTHER THAN REGULAR ONE	5.00
PUBLIC OPERATORS	NONE

ISSUANCE	UPON BEING FOUND QUALIFIED AND FURNISHING PROOF OF FINANCIAL RESPONSIBILITY.
RENEWAL	TO BE ESTABLISHED BY REGULATIONS.
NONRESIDENTS	PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES

*PORTIONS OF THIS LAW RELATING TO THE REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: YES.

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADMINISTRATOR
3. ADULTERATED
4. ANIMAL
5. ANTIDOTE
6. APPLICATORS
7. BENEFICIAL INSECTS
8. BOARD
9. CERTIFIED APPLICATOR
10. COMMERCIAL APPLICATOR
11. DEFOLIANT
12. DESICCANT
13. DEVICE
14. DISTRIBUTE
15. ENVIRONMENT
16. ESTABLISHMENT
17. EQUIPMENT
18. FUNGUS
19. HIGHLY TOXIC
20. IMMINENT HAZARD
21. INERT INGREDIENT
22. INGREDIENT STATEMENT
23. INSECT
24. LABEL
25. LABELING
26. LAND
27. MISBRANDED
28. MUNICIPAL CORPORATION
29. NEMATODE
30. PERMIT
31. PERSON
32. PEST
33. PESTICIDE
34. PESTICIDE DEALER
35. PEST MANAGEMENT CONSULTANT
36. PLANT REGULATOR
37. PRIVATE APPLICATOR
38. PRODUCER/PRODUCE
39. PROTECT HEALTH AND ENVIRONMENT
40. PUBLIC OPERATOR
41. REGISTRANT
42. REGISTRATION
43. RESTRICTED USE
44. SNAILS OR SLUGS
45. UNDER THE DIRECT SUPERVISION OF...
46. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
47. WEED
48. WILDLIFE

FINANCIAL RESPONSIBILITY: SURETY BOND, LIABILITY INSURANCE, OR SELF INSURANCE.

COMMERCIAL APPLICATORS	
PROPERTY DAMAGE	$ 100,000.00
PUBLIC LIABILITY	100,000.00
DEDUCTIBLE CLAUSE	1,000.00

PENALTIES:

CIVIL

THE SECRETARY, AFTER A HEARING, MAY ASSESS A CIVIL PENALTY UPON A PERSON, OTHER THAN PRIVATE APPLICATOR, NOT TO EXCEED $10,000.

CRIMINAL

VIOLATION OF ACT OR REGULATIONS (FIRST OFFENSE) SUBJECT TO A FINE OF NOT MORE THAN $300, OR IMPRISONMENT NOT MORE THAN 90 DAYS, OR BOTH SUBSEQUENT VIOLATIONS, WITHIN THREE YEARS, SUBJECT TO A FINE OF NOT MORE THAN $5,000, OR IMPRISONMENT NOT MORE THAN TWO YEARS, OR BOTH. SUBSEQUENT VIOLATIONS BY PRIVATE APPLICATORS SUBJECT TO A FINE OF NOT MORE THAN $2,500, OR IMPRISONMENT NOT MORE THAN ONE YEAR, OR BOTH.

RELEVANT LAWS:

PENNSYLVANIA SHADE HERBICIDE ACT (1963)
(PA. STAT. ANN., TIT. 3 § 214.51 ET SEQ., 1963)

PERMITS ESTABLISHMENT OF GEOGRAPHICAL AREAS WITHIN WHICH THE USE OF HERBICIDES MAY BE RESTRICTED OR PROHIBITED.

PEST CONTROL COMPACT
(PA. STAT. ANN., TIT 3 § 214.41 TO 214.47, SUPP. 1974)

RHODE ISLAND

TITLE: "THE RHODE ISLAND PESTICIDE CONTROL LAW" (1970)
(R. I. GEN. LAWS ANN., § 23-41.1-1 TO 23-41.1-25, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO APPLY, USE, BUY, SELL, TRANSPORT, OR STORE A BANNED OR RESTRICTED PESTICIDE UNLESS LICENSED BY THE DEPARTMENT OF NATURAL RESOURCES.

EXEMPTIONS: NONE. (VETERINARIANS MAY USE RESTRICTED PESTICIDES ON DOMESTIC ANIMALS FOR TREATMENT OF EXTERNAL PARASITES.)

CERTIFICATION OR LICENSING:

CATEGORIES
COMMERCIAL APPLICATOR
NON-COMMERCIAL APPLICATORS (USERS)
SPECIAL LICENSEES (RESEARCH)

QUALIFICATIONS: MUST BE THOROUGHLY GROUNDED IN RECOGNITION OF, AND GENERAL KNOWLEDGE OF, PESTICIDE HAZARDS.

APPLICATION: ON FORMS PRESCRIBED BY THE DEPARTMENT.

EXAMINATION: ORAL OR WRITTEN.

FEES:

INITIAL LICENSE	$ 10.00
RENEWAL	2.00

EXCEPT
MUNICIPALITIES, STATE AGENCIES, OR PRIVATE PERSONS APPLYING PESTICIDES TO THEIR OWN PREMISES, NOT SUBJECT TO PAYMENT OF FEES.

ISSUANCE: ISSUED UPON PASSING EXAMINATION. COMMERCIAL APPLICATOR'S LICENSE VALID FOR ONE YEAR; OTHERS FOR 3 MONTHS. DEPARTMENT MAY DENY, SUSPEND, REVOKE, OR MODIFY ANY LICENSE FOR CAUSE.

RENEWAL: RENEWED UPON APPLICATION ACCOMPANIED WITH A RECORD OF PESTICIDES USED IN PREVIOUS YEAR. REEXAMINATION MAY BE REQUIRED EACH 10-YEAR PERIOD (COMMERCIAL APPLICATORS).

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	NO

REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: "TECHNICAL PESTICIDE ADVISORY BOARD" ESTABLISHED BY ACT. THE PURPOSE OF THE BOARD OF SEVEN MEMBERS IS TO ADVISE THE DIRECTOR AND TO REVIEW ALL RULES AND REGULATIONS PRIOR TO THEIR BECOMING EFFECTIVE.

DEFINITIONS:

1. COMMERCIAL APPLICATION
2. COMMERCIAL APPLICATOR
3. CONTROL
4. DEPARTMENT
5. DIRECTOR
6. EQUIPMENT
7. ECONOMIC THRESHOLD
8. NONTARGET ORGANISM
9. PERSON
10. PESTICIDE
11. TARGET ORGANISM

FINANCIAL RESPONSIBILITY: (INSURANCE COVERAGE)

GROUND APPLICATION	
PUBLIC LIABILITY	$ 20,000/40,000
PROPERTY DAMAGE	10,000/25,000
AIRCRAFT APPLICATION	
PUBLIC LIABILITY	50,000/100,000
PROPERTY DAMAGE	25,000/50,000

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT IS SUBJECT TO A FINE OF NOT MORE THAN $500, OR IMPRISONMENT NOT EXCEEDING 6 MONTHS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS: ECONOMIC POISON LAW (REGISTRATION LAW)
(R. I. GEN. LAWS ANN., § 23-41-1 TO 23-41-15, SUPP. 1974)

"RHODE ISLAND FOOD, DRUG AND COSMETICS ACT"
(R. I. GEN. LAWS ANN., § 21-31-1 TO 21-31-23, 1968)

SOUTH CAROLINA

TITLE: "SOUTH CAROLINA PESTICIDE CONTROL ACT" (1975)*
(SESSION LAWS, 1975, PAGE 231; RATIFICATION NO. 299; S.B. 54)

PROHIBITED ACTS: UNLAWFUL FOR ANY PERSON TO USE OR SUPERVISE THE USE OF A RESTRICTED PESTICIDE UNLESS CERTIFIED AND LICENSED BY THE DIRECTOR OF THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS OF CLEMSON UNIVERSITY. DEALERS REQUIRED TO BE LICENSED ANNUALLY.

EXEMPTIONS: DOCTORS OF HUMAN AND VETERINARY MEDICINE (M.D. AND D.V.M.) IN THEIR PROFESSIONAL PRACTICE.

CERTIFICATION OR LICENSING:

CATEGORIES TO BE ESTABLISHED BY REGULATIONS. MAY ACCEPT FEDERAL CATEGORIES.

QUALIFICATIONS TO BE ESTABLISHED BY REGULATIONS. MAY ACCEPT FEDERAL STANDARDS.

APPLICATION ON FORMS PROVIDED BY THE DIRECTOR.

EXAMINATION: MUST DEMONSTRATE COMPETENTLY IN THE USE AND APPLICATION OF PESTICIDES IN CATEGORIES APPLIED FOR.

FEES

DEALER LICENSE	$ 25.00
DEALER LICENSE, LATE RENEWAL (ADD)	6.25
PRIVATE APPLICATOR, APPLICATION FEE	1.00
PESTICIDE APPLICATOR LICENSE (BUSINESS)	25.00
ADDITIONAL PESTICIDE APPLICATOR'S LICENSE AT ONE BUSINESS OFFICE - EACH	5.00
NON-COMMERCIAL APPLICATORS (PUBLIC EMPLOYEES)	NONE
LATE RENEWALS - COMMERCIAL APPLICATORS (ADD)	25%

ISSUANCE UPON BEING CERTIFIED AS COMPETENT. LICENSES EXPIRE DECEMBER 31.

RENEWAL REQUIRED IF FEDERAL REGULATIONS SO REQUIRE TO MEET CHANGING TECHNOLOGY.

NONRESIDENTS PROVISION FOR RECIPROCITY. MUST PROVIDE FOR FINANCIAL RESPONSIBILITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

*PORTIONS OF THE ACT RELATING TO THE REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	NO
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD:

"THERE IS HEREBY CREATED A PESTICIDE ADVISORY COMMITTEE CONSISTING OF FOUR LICENSED COMMERCIAL APPLICATORS RESIDING IN THE STATE, ONE OF WHOM SHALL BE LICENSED TO OPERATE HORTICULTURAL GROUND EQUIPMENT, ONE SHALL BE LICENSED TO OPERATE AGRICULTURAL GROUND EQUIPMENT, ONE SHALL BE LICENSED TO OPERATE AERIAL EQUIPMENT, AND ONE SHALL BE LICENSED FOR STRUCTURAL PEST CONTROL; ONE ENTOMOLOGIST IN PUBLIC SERVICE; ONE TOXICOLOGIST IN PUBLIC SERVICE; ONE HERBICIDE SPECIALIST IN PUBLIC SERVICE; TWO MEMBERS FROM THE AGRICHEMICAL INDUSTRY, ONE OF WHOM SHALL BE A PESTICIDE DEALER; TWO PRODUCERS OF AGRICULTURAL CROPS OR PRODUCTS ON WHICH PESTICIDES ARE APPLIED OR WHICH MAY BE AFFECTED BY THE APPLICATION OF PESTICIDES; ONE REPRESENTATIVE OF THE SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES DEPARTMENT; ONE PLANT PATHOLOGIST IN PUBLIC SERVICE; ONE REPRESENTATIVE OF THE SOUTH CAROLINA STATE COMMISSION OF FORESTRY; ONE REPRESENTATIVE OF THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE; AND ONE REPRESENTATIVE OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL. SUCH MEMBERS SHALL BE RESIDENTS OF THIS STATE AND SHALL BE APPOINTED BY THE GOVERNOR ON THE RECOMMENDATION OF THE FOLLOWING ORGANIZATIONS:

THE SOUTH CAROLINA AERIAL APPLICATORS' ASSOCIATION SHALL RECOMMEND THE PESTICIDE APPLICATOR LICENSED TO OPERATE AERIAL EQUIPMENT.

THE SOUTH CAROLINA PEST CONTROL OPERATOR'S ASSOCIATION SHALL RECOMMEND THE PESTICIDE APPLICATOR LICENSED TO OPERATE HORTICULTURAL GROUND EQUIPMENT AND THE PESTICIDE APPLICATOR LICENSED FOR STRUCTURAL PEST CONTROL.

THE DEAN OF THE COLLEGE OF AGRICULTURAL SCIENCES OF CLEMSON UNIVERSITY SHALL RECOMMEND THE HERBICIDE SPECIALIST IN PUBLIC SERVICE, THE ENTOMOLOGIST IN PUBLIC SERVICE, AND THE PLANT PATHOLOGIST IN PUBLIC SERVICE.

THE MEMBERS OF THE SOUTH CAROLINA PESTICIDE ASSOCIATION SHALL RECOMMEND THE MEMBER FROM THE AGRICHEMICAL INDUSTRY AND THE PESTICIDE DEALER.

THE SOUTH CAROLINA FARM BUREAU SHALL RECOMMEND THE TWO PRODUCERS OF AGRICULTURAL CROPS OR PRODUCTS ON WHICH PESTICIDES ARE APPLIED OR WHICH MAY BE AFFECTED BY THE APPLICATION OF PESTICIDES, AND THE COMMERCIAL APPLICATOR LICENSED TO OPERATE AGRICULTURAL GROUND EQUIPMENT.

THE EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES DEPARTMENT SHALL RECOMMEND THE MEMBER FROM THE SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES DEPARTMENT.

THE STATE FORESTER SHALL RECOMMEND THE MEMBER FROM THE SOUTH CAROLINA STATE COMMISSION OF FORESTRY.

THE COMMISSIONER OF AGRICULTURE SHALL RECOMMEND THE MEMBER FROM THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE.

THE COMMISSIONER OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL RECOMMEND THE MEMBER FROM THAT DEPARTMENT.

THE COMMITTEE SHALL ADVISE THE DIRECTOR ON ANY OR ALL PROBLEMS RELATING TO THE USE AND APPLICATION OF PESTICIDES. THIS MAY INCLUDE PEST CONTROL PROBLEMS, ENVIRONMENTAL OR HEALTH PROBLEMS RELATED TO PESTICIDE USE, AND REVIEW OF NEEDED LEGISLATION, REGULATIONS AND AGENCY PROGRAMS."

DEFINITIONS:

1. ACTIVE INGREDIENT
2. ADMINISTRATOR (EPA)
3. ADULTERATED
4. ANIMAL
5. ANTIDOTE
6. CERTIFIED APPLICATOR
7. COMMERCIAL APPLICATOR
8. COMMITTEE
9. DEFOLIANT
10. DESICCANT
11. DEVICE
12. DIRECTOR
13. ENVIRONMENT
14. EQUIPMENT
15. ESTABLISHMENT
16. FUNGICIDE
17. FUNGUS
18. HERBICIDE
19. IMMINENT HAZARD
20. INERT INGREDIENT
21. INGREDIENT STATEMENT
22. INSECT
23. INSECTICIDE
24. LABEL
25. LABELING
26. MISBRANDED
27. NEMATODE
28. NEMATOCIDES
29. NON-COMMERCIAL APPLICATOR
30. PERSON
31. PEST
32. PESTICIDE
33. PESTICIDE DEALER
34. PLANT REGULATOR
35. PRIVATE APPLICATOR
36. PRODUCE
37. PRODUCER
38. PROTECT HEALTH AND THE ENVIRONMENT
39. PUBLIC LAW 92-516
40. REGISTRANT
41. REGISTRATION
42. RESTRICTED USE PESTICIDE
43. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
44. UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR
45. WEED

FINANCIAL RESPONSIBILITY: SURETY BOND OR LIABILITY INSURANCE FOR NOT LESS THAN $5,000 FOR PROPERTY DAMAGE AND PUBLIC LIABILITY; $100 DEDUCTIBLE PROVISION FOR AERIAL APPLICATORS.

PENALTIES:

CIVIL	NONE.
CRIMINAL	VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR, SUBJECT TO A FINE OF NOT MORE THAN $100, OR IMPRISONMENT FOR NOT MORE THAN 30 DAYS ON THE FIRST OFFENSE. SECOND OFFENSE SUBJECT TO A FINE OF NOT MORE THAN $500 OR IMPRISONMENT FOR NOT MORE THAN 60 DAYS. THIRD OFFENSE SUBJECT TO A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

RELEVANT LAWS: NONE. (THIS ACT REPEALS THE "SOUTH CAROLINA ECONOMIC POISON LAW")

SOUTH DAKOTA

TITLE:	AN ACT RELATING TO THE USE OF PESTICIDES (S. D. CODE § 38.21.14 to 38.21.55, 1974)
PROHIBITED ACTS:	UNLAWFUL TO USE RESTRICTED USE PESTICIDES UNLESS CERTIFIED; TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES, OR TO ACT AS AN EMPLOYEE, UNLESS LICENSED BY THE SECRETARY OF AGRICULTURE. UNLAWFUL TO BUY OR SELL RESTRICTED USE PESTICIDES UNLESS LICENSED OR CERTIFIED.
EXEMPTIONS:	FARMERS, VETERINARIANS, RESEARCH PERSONNEL, AND OTHERS MUST BE CERTIFIED TO USE RESTRICTED USE PESTICIDES, BUT ARE NOT REQUIRED TO BE LICENSED.
CERTIFICATION OR LICENSING:	
CATEGORIES	COMMERCIAL APPLICATOR LICENSED APPLICATOR LICENSED OPERATOR LICENSED PUBLIC OPERATOR PRIVATE APPLICATOR OTHER CATEGORIES AUTHORIZED
QUALIFICATIONS	STANDARDS TO BE ESTABLISHED BY REGULATIONS, GIVING CONSIDERATION TO FEDERAL (EPA) STANDARDS.
APPLICATION	ON FORMS PRESCRIBED BY THE SECRETARY.
EXAMINATION	TYPE TO BE ESTABLISHED BY REGULATION.

FEES

LICENSED APPLICATOR	$ 25.00
OPERATORS LICENSE	5.00
PUBLIC OPERATORS	NONE
PRIVATE APPLICATOR, NOT TO EXCEED	5.00
LATE RENEWAL - PLUS	25%
LATE RENEWAL OF DEALER	50.00
PESTICIDE DEALER LICENSE	50.00
DEALER HAVING APPLICATOR'S LICENSE	25.00

ISSUANCE	UPON BEING FOUND QUALIFIED AND FURNISHING PROOF OF FINANCIAL RESPONSIBILITY. MAY BE SUSPENDED, REVOKED, OR MODIFIED FOR CAUSE.
RENEWAL	PRIOR TO JANUARY 1 EACH YEAR. LICENSES OR CERTIFICATION NOT RENEWED BY MARCH 1 MAY REQUIRE REEXAMINATION.
NONRESIDENTS	PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	YES

REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. ANIMALS
2. CERTIFIED APPLICATOR
3. COMMERCIAL APPLICATOR
4. DEFOLIANT
5. DESICCANT
6. DEVICE
7. ENVIRONMENT
8. EQUIPMENT
9. FUNGUS
10. INSECT
11. LAND
12. LICENSED APPLICATOR
13. LICENSED OPERATOR
14. LICENSED PESTICIDE DEALER
15. LICENSED PUBLIC OPERATOR
16. NEMATODE
17. PEST
18. PESTICIDE
19. PLANT REGULATOR
20. PRIVATE APPLICATOR
21. RESTRICTED USE PESTICIDE
22. SECRETARY
23. SPRAY ADJUVANT
24. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
25. WEED

FINANCIAL RESPONSIBILITY: TO BE ESTABLISHED BY REGULATION. PUBLIC OPERATORS EXEMPT FROM PROOF OF FINANCIAL RESPONSIBILITY.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $100, OR IMPRISONMENT FOR NOT MORE THAN 30 DAYS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT OF 1947"
(REGISTRATION LAW)
(S. D. CODE § 3 .19.01 TO 38.19.32, 1960)

SOUTH DAKOTA POISON LAW
(S. D. CODE § 22.1201 TO 22.1208, 1960)

REGULATES THE SALE OF CERTAIN POISONOUS CHEMICALS BY NON-PHARMACIST LICENSEES.

TENNESSEE

TITLE: "TENNESSEE PEST CONTROL OPERATORS ACT OF 1975" (TENN. CODE ANN., § 62.2101 TO 62.2123, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF PEST CONTROL UNLESS LICENSED OR CHARTERED BY THE DEPARTMENT OF AGRICULTURE. SOLICITORS OR BUSINESS AGENTS MUST BE REGISTERED WITH THE DEPARTMENT.

EXEMPTIONS: ANY CLASS OF COMMERCIAL PEST CONTROL OPERATORS SUBJECT TO OTHER SPECIFIC "CLASS" LAWS (E.G. AERIAL APPLICATORS) TO THE EXTENT COVERED BY SUCH OTHER LAW; LOCAL, STATE OR FEDERAL OPERATIONS, LEGITIMATE EXPERIMENTAL WORK; AND OWNERS ON THEIR OWN LAND. NO EXEMPTIONS FOR USERS OF RESTRICTED USE PESTICIDES.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AGRICULTURAL, GROUND EQUIPMENT
2. BIRD CONTROL
3. CONSULTING ENTOMOLOGIST
4. FUMIGATION, NONRESTRICTED
5. FUMIGATION, STRUCTURAL AND COMMERCIAL
6. HORTICULTURAL
7. GENERAL PEST AND RODENT CONTROL
   (A) HOUSEHOLD AND COMMERCIAL
   (B) NONRESTRICTED
8. WEED CONTROL
9. WOOD DESTROYING ORGANISMS

QUALIFICATIONS: BACHELOR'S DEGREE IN ENTOMOLOGY, BIOLOGY, AGRICULTURE, OR RELATED SUBJECTS, OR STATUS AS CERTIFIED ENTOMOLOGIST, OR REGISTERED SANITARIAN, OR TWO YEARS SERVICE EXPERIENCE IN PERTINENT CATEGORY.

APPLICATION (FORMAT OF) NOT SPECIFIED IN ACT. MUST SHOW QUALIFICATIONS AND BE FILED BY 10TH OF MONTH PRECEDING DATE OF EXAMINATION.

EXAMINATION WRITTEN, IN TWO PARTS, PRESCRIBED BY THE PEST CONTROL BOARD (ORAL EXAMINATIONS PROHIBITED EXCEPT FOR PRIVATE APPLICATORS). MUST BE SUBSTANTIALLY UNIFORM IN CONTENT, DIFFICULTY, AND EQUITY AS TO EACH CLASS.

FEES CHARTER A (GENERAL BUSINESS LICENSE)

GROSS BUSINESS:

$ 1 - 50,000	$ 50.00
50,001 - 100,000	100.00
100,001 - 150,000	150.00
150,001 AND ABOVE	200.00

CHARTER B (WOOD DESTROYING ORGANISMS ONLY)	10.00
LICENSE FEE (FOR INDIVIDUALS IN EACH CATEGORY)	5.00

OPERATIONS FEE (WOOD DESTROYING ORGANISMS CONTRACTS):

CONTRACT AMOUNTS (FEES IN LIEU OF GROSS BUSINESS FEES):

LESS THAN $ 75.00	1.00
$ 75 TO 149.00	2.00
150 TO 299.00	3.00
300 OR MORE	5.00

REGISTRATION FEE (EXCEPT CLERICAL EMPLOYEES): 5.00

ORIGINAL EXAMINATION FEE NONE
REEXAMINATION FEE (EXCEPT PRIVATE APPLICATORS - NO FEE) 25.00

ISSUANCE: ISSUED BY COMMISSIONER UPON CERTIFICATION BY THE BOARD AND AFTER COLLECTION OF APPROPRIATE FEES. EXPIRES JULY 1.

RENEWAL: RENEWABLE UPON APPLICATION, PROVIDED APPLICANT IS IN GOOD STANDING.

NONRESIDENTS: NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD:

"PEST CONTROL BOARD. A SEVEN (7) MEMBER PEST CONTROL BOARD IS HEREBY CREATED AND ESTABLISHED. SUCH BOARD SHALL CONSIST OF THE COMMISSIONER OF AGRICULTURE, THE DIRECTOR OF ENTOMOLOGY, A MEMBER OF THE STAFF OF A UNIVERSITY OF THIS STATE, TWO LICENSED PEST CONTROL OPERATORS AND TWO TENNESSEE CITIZENS WHO ARE NOT ASSOCIATED IN THE PEST CONTROL INDUSTRY.

THE GOVERNOR SHALL APPOINT THE MEMBERS OF THE BOARD TO SERVE FOUR YEAR TERMS, AND, IN THE EVENT OF A VACANCY, HE SHALL APPOINT AN INTERIM MEMBER TO FILL THE UNEXPIRED PORTION OF THE PREVIOUS MEMBER'S TERM.

FOR THE TERMS BEGINNING JULY 1, 1975... ONE PEST CONTROL OPERATOR AND ONE CITIZEN, NOT ASSOCIATED IN SUCH INDUSTRY, SHALL BE APPOINTED FOR FOUR (4) YEAR TERMS; ONE PEST CONTROL OPERATOR AND ONE CITIZEN NOT ASSOCIATED IN SUCH INDUSTRY, SHALL BE APPOINTED FOR THREE (3) YEAR TERMS; AND THE MEMBER FROM THE STAFF OF A UNIVERSITY SHALL BE APPOINTED FOR A TWO (2) YEAR TERM.

NO PROXIES, NOR POWER TO DESIGNATE A REPRESENTATIVE TO SERVE IN THE PLACE OF A BOARD MEMBER SHALL BE ALLOWED WHEN THIS BOARD SITS AS A LICENSING EXAMINING BOARD.

"POWERS AND DUTIES OF BOARD: THE BOARD SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

1. ADVISE THE DEPARTMENT AS TO THE PROMULGATION OF RULES AND REGULATIONS.

2. DETERMINE THE DIFFERENT CATEGORIES OF SERVICE OR CLASSES WHICH WILL REQUIRE SEPARATE CHARTERS OR LICENSES, PRESCRIBE THE REQUIRED QUALIFICATIONS FOR APPLICANTS FOR THE VARIOUS LICENSES AND CHARTERS AND DEVISE OR APPROVE THE NECESSARY EXAMINATIONS OR TESTING PROCEDURES FOR THE EXAMINATION OF APPLICANTS.

3. CERTIFY THE QUALIFICATIONS OF SUCH APPLICANTS TO THE COMMISSIONER REQUESTING ISSUANCE OF A LICENSE.

4. THE BOARD SHALL MEET QUARTERLY FOR THE PURPOSE OF EXAMINING AND CERTIFYING APPLICANTS FOR LICENSES, AND AT ANY TIME WHEN REQUESTED BY THE COMMISSIONER OR BY A MAJORITY OF THE BOARD. THE QUESTIONS AND ANSWERS OF ALL EXAMINATIONS TO DETERMINE THE QUALIFICATIONS OF THOSE SEEKING TO BE LICENSED TO ENGAGE IN THE VARIOUS CLASSES OF PEST CONTROL SHALL BE WRITTEN. AND ALL SUCH EXAMINATION SHALL BE SUBSTANTIALLY UNIFORM IN CONTENT, DIFFICULTY, AND EQUITY AS TO EACH OF THE VARIOUS CLASSES. A PROHIBITION OF ORAL EXAMINATION QUESTIONS OR ANSWERS IS MADE, NOTWITHSTANDING ANY PROVISIONS OF THE LAWS OR ANY PROMULGATED RULES TO THE CONTRARY.

DEFINITIONS:

(LAW)	(REGULATION)
1. BRANCH OFFICE	1. BIRD CONTROL
2. CERTIFIED APPLICATOR	2. BOARD
3. CHARTER (AUTHORITY TO DO BUSINESS)	3. COMMISSIONER
4. COMMERCIAL PEST CONTROL OPERATOR	4. CONSULTING ENTOMOLOGIST
5. COMMISSIONER	5. EXAMINATION
6. LICENSE (AUTHORITY TO "ACT")	6. FUMIGATION
7. OFFICE	7. GENERAL PEST CONTROL AND RODENT CONTROL (A) HOUSEHOLD AND COMMERCIAL (B) NONRESTRICTED
8. PEST	8. HORTICULTURAL
9. PRIVATE APPLICATOR	9. WEED CONTROL (AGRICULTURAL AND RIGHTS-OF-WAY, LAWN AND TURF MAINTENANCE)
10. REGISTRATION (AUTHORITY TO "SOLICIT")	10. WOOD DESTROYING ORGANISMS
11. RESTRICTED USE PESTICIDE	

FINANCIAL RESPONSIBILITY:

PERFORMANCE BOND:

GROSS BUSINESS:

$ 1 - 50,000	$ 5,000.00
50,001 - 75,000	10,000.00
75,001 - 100,000	15,000.00
100,001 - 200,000	20,000.00
200,000 AND ABOVE	25,000.00

LIABILITY INSURANCE (ALSO REQUIRED)

$ 1 - 100,000	$ 25,000/50,000 AND 100,000 AGGREGATE
100,001 AND ABOVE	50,000/100,000 AND 200,000 AGGREGATE

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF THE ACT IS A MISDEMEANOR, SUBJECT TO A FINE OF NOT LESS THAN $100 NOR MORE THAN $500, OR BY IMPRISONMENT FOR NOT MORE THAN 3 MONTHS OR BOTH FINE AND IMPRISONMENT. A SECOND OR SUBSEQUENT CONVICTION SUBJECT TO A FINE OF NOT LESS THAN $500, NOR MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"TENNESSEE INSECTICIDE, FUNGICIDE, AND RODENTICIDE LAW" (1951)
(TENN. CODE ANN., § 43-701 TO 43-713, 1974)

ECONOMIC POISON LAW ADMINISTERED BY THE DEPARTMENT OF AGRICULTURE.

"TENNESSEE FOOD, DRUG, AND COSMETIC ACT" (1941)
(TENN. CODE ANN., § 52-101 TO 52-124, 1964)

ADMINISTERED BY THE DEPARTMENT OF AGRICULTURE. SECTION 52-116 INCLUDES CONTROL OVER PESTICIDE CHEMICALS AND PERMITS ADOPTION OF REGULATIONS IDENTICAL WITH FEDERAL STANDARDS.

"TENNESSEE HAZARDOUS SUBSTANCES ACT"
(TENN. CODE ANN., § 53-3712 TO 53-3723, 1966)

PEST CONTROL COMPACT (1969)
(TENN. CODE ANN., § 43-2801 TO 43-2808, SUPP. 1971)

TENNESSEE

TITLE:	LICENSING REQUIREMENTS FOR COMMERCIAL AERIAL APPLICATORS (TENN. CODE ANN., § 43.2901 TO 43.2909, SUPP. 1974)
PROHIBITED ACTS:	UNLAWFUL TO OPERATE AS A COMMERCIAL AERIAL APPLICATOR UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE.
EXEMPTIONS:	GOVERNMENT AGENCIES, AGRICULTURAL EXPERIMENTS RECOGNIZED BY THE COMMISSIONER, AND LANDOWNERS WITH THEIR OWN AIRPLANES. NO EXEMPTIONS FOR USERS OF RESTRICTED USE PESTICIDES.

CERTIFICATION OR LICENSING:

CATEGORIES	AERIAL APPLICATOR - LIMITED LICENSE AERIAL APPLICATOR - UNLIMITED LICENSE	
QUALIFICATIONS	PRESCRIBED BY REGULATION.	
APPLICATION	PRESCRIBED BY REGULATION.	
EXAMINATION	SUCH TESTS AS THE COMMISSIONER MAY DEEM NECESSARY.	
FEES	EACH AIRCRAFT EACH PILOT	$ 50.00 25.00
ISSUANCE	UPON BEING FOUND QUALIFIED, AND PROOF OF FINANCIAL RESPONSIBILITY. ANNUAL LICENSES EXPIRE JANUARY 1.	
RENEWAL	ANNUALLY, BY APPLICATION.	
NONRESIDENTS	NO PROVISION FOR RECIPROCITY.	

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	YES	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES

CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	NO
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT CAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NONE. (PESTICIDE ADVISORY COUNCIL)

DEFINITIONS:

1. AIRCRAFT
2. COMMERCIAL AERIAL APPLICATOR
3. COMMISSIONER
4. CUSTOM APPLICATION OF PESTICIDES
5. DEPARTMENT
6. LICENSEE
7. PILOT
8. PERSON
9. PESTICIDE
10. RESTRICTED USE PESTICIDES

FINANCIAL RESPONSIBILITY: LIABILITY INSURANCE $ 100,000.00

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100 NOR MORE THAN $500, OR BY IMPRISONMENT FOR NOT LESS THAN 30 DAYS NOR MORE THAN 11 MONTHS AND 29 DAYS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"TENNESSEE PEST CONTROL OPERATORS ACT OF 1972"
(TENN. CODE ANN., § 62.2101 TO 62.2123, SUPP. 1974)

"TENNESSEE INSECTICIDE, FUNGICIDE, AND RODENTICIDE LAW" (1951)
(REGISTRATION LAW)
(TENN. CODE ANN., § 43-701 TO 43-715, 1964)

"TENNESSEE FOOD, DRUG, AND COSMETIC ACT" (1941)
(TENN. CODE ANN., § 52-101 TO 52-124, 1964)

PEST CONTROL COMPACT (1968)
(TENN. CODE ANN., § 43-2801 TO 43-2808, SUPP. 1971)

TEXAS

TITLE: TEXAS HERBICIDE LAW
(TEX. REV. CIV. STAT., ANN., ART. 135B-4, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO BE A DEALER IN HERBICIDES UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE; TO APPLY HERBICIDES WITHOUT A PERMIT FROM THE COMMISSIONER; TO APPLY HORMONE TYPE HERBICIDES IN DUST FORM. THE LAW RELATES ONLY TO HERBICIDES, AND NOT TO OTHER PESTICIDES.

EXEMPTIONS: APPLICATION OF HORMONE TYPE HERBICIDES BY BRUSH, MOP, OR INJECTION; EXPERIMENTAL WORK; GOVERNMENTAL BODIES; APPLIERS OF HERBICIDES TO NOT MORE THAN 10 ACRES IN ANY ONE YEAR.

CERTIFICATION OR LICENSING:

CATEGORIES: APPLIERS
CUSTOM APPLIERS
DEALERS

QUALIFICATIONS: NONE. THIS LAW IS IN THE NATURE OF A "REGISTRATION" OF DEALERS AND USERS OF HERBICIDES, ALTHOUGH LICENSES AND PERMITS ARE ISSUED.

APPLICATION: ON FORMS PRESCRIBED BY THE COMMISSIONER.

EXAMINATION: NONE.

FEES:

DEALER LICENSE	$ 25.00
FOR EACH ACRE TO BE SPRAYED	
EQUIPMENT INSPECTION	10.00/UNIT

ISSUANCE: UPON APPLICATION AND PAYMENT OF FEE. CUSTOM APPLIERS MUST FURNISH PROOF OF FINANCIAL RESPONSIBILITY. DEALERS LICENSE EXPIRE JANUARY 1. PERMITS EXPIRE WHEN ACREAGE REQUESTED HAS BEEN SPRAYED, OR AFTER 180 DAYS, OR DECEMBER 31, WHICHEVER OCCURS FIRST.

RENEWAL: SAME AS INITIAL REQUEST.

NONRESIDENTS: NOT APPLICABLE.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES

REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	NO
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	NO
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	YES

PESTICIDE BOARD: NONE.

DEFINITIONS:

(LAW)	(REGULATION)
1. APPLICATION	1. APPLIER
2. APPLIER	2. AIRCRAFT EQUIPMENT
3. COMMISSIONER	3. BRUSH BARRIER - DENSE
4. COUNTY HERBICIDE INSPECTOR	4. BRUSH BARRIER - MEDIUM
5. CUSTOM APPLIER	5. BRUSH BARRIER - SPARSE
6. DEALER	6. COMMISSIONER
7. EQUIPMENT	7. DEALER
8. HERBICIDE	8. GROUND EQUIPMENT
9. PERSON	9. HERBICIDE
10. WEED	10. PERSON
	11. WEED

FINANCIAL RESPONSIBILITY: CUSTOM APPLIERS:

SURETY BOND, OR, CROP DAMAGE INSURANCE	$ 50,000.00
EACH UNIT OF EQUIPMENT, ADDITIONAL	2,000.00

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT CONSTITUTES A MISDEMEANOR, SUBJECT TO A FINE OF NOT LESS THAN $100, NOR MORE THAN $1,000, OR IMPRISONMENT FOR NOT MORE THAN 30 DAYS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS:

"TEXAS PESTICIDE CONTROL ACT"
(SESSION LAWS, 1975, PAGE 1117; SENATE BILL 616, 1975)

"TEXAS STRUCTURAL PEST CONTROL ACT" (1971)
(TEX. REV. CIV. STAT. ANN., ART. 135B-6, SUPP. 1974-1975)

"TEXAS FOOD, DRUG, AND COSMETIC ACT"
(TEX. REV. CIV. STAT. ANN., ART. 4476-5, 1966)

TEXAS

TITLE:	"TEXAS STRUCTURAL PEST CONTROL ACT" (TEX. REV. CIV. STAT. ANN., ART 135B-6, SUPP. 1974-1975)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF STRUCTURAL PEST CONTROL UNLESS LICENSED BY THE TEXAS STRUCTURAL PEST CONTROL BOARD.
EXEMPTIONS:	GOVERNMENTAL OR EDUCATIONAL AGENCIES ENGAGED IN OFFICIAL DUTIES; INDIVIDUALS PERFORMING WORK ON THEIR OWN PROPERTY; EMPLOYEES OF LICENSEES; PERSONS APPLYING AGRICULTURAL PESTICIDES; AND GRANDFATHER CLAUSE WHICH PERMITS GRANTING A 2-YEAR TEMPORARY LICENSE.

CERTIFICATION OR LICENSING:

CATEGORIES	1. FUMIGATION 2. GENERAL (ALL CATEGORIES COMBINED) 3. LAWN AND ORNAMENTAL 4. PEST CONTROL 5. TERMITE CONTROL 6. WEEDS
QUALIFICATIONS	MUST BE ABLE TO READ AND WRITE THE ENGLISH LANGUAGE AND MEET THE STANDARDS SET BY THE BOARD.
APPLICATION	ON FORMS PROVIDED BY THE BOARD.
EXAMINATION	WRITTEN EXAMINATION REQUIRED; PASSING GRADE 70%; GIVEN AT LEAST QUARTERLY, IN AUSTIN, TEXAS (UNLESS OTHERWISE DESIGNATED AND APPLICANT NOTIFIED); MAY REQUIRE APPLICANTS TO DEMONSTRATE COMPETENCY IN CATEGORY OF LICENSING.

FEES

APPLICATION	NONE
EXAMINATION	NONE
LICENSE AND RENEWAL LICENSE (FOR EACH PLACE OF BUSINESS)	$ 50.00
DUPLICATE LICENSE	10.00
EMPLOYEES OF LICENSEES (IDENTIFICATION) (EXCEPT THOSE AT TELEPHONE ANSWERING SERVICE)	5.00

ALL FEES TO BE DEPOSITED IN A SPECIAL FUND IN THE STATE TREASURY FOR EXPENSE OF IMPLEMENTING ACT; NO EXPENSE MAY BE CHARGED TO GENERAL REVENUE FUNDS, AND EXCESS FUNDS IN SPECIAL FUND ACCOUNT REVERT TO TREASURY.

ISSUANCE	UPON MEETING STANDARDS SET BY BOARD; LICENSES EXPIRE MARCH 1. LICENSES NOT TRANSFERABLE; BUSINESS ENTITIES MUST ALWAYS HAVE A LICENSE HOLDER, EXCEPT BOARD MAY GRANT TEMPORARY "HARDSHIP" LICENSE NOT TO EXCEED SIX MONTHS (E.G. DEATH OR DISABILITY OF OWNER).
RENEWAL	RENEWABLE BY APPLICATION TO BOARD AND PAYMENT OF FEE BY MARCH 2; FEES NOT PRORATED.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY. NONRESIDENT LICENSE HOLDER TO DISPLAY LICENSE IN THE PLACE OF BUSINESS OF HIS RESIDENT AGENT.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	NO	ENTER COOPERATIVE AGREEMENTS	NO

PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	NO
RECORDS OPEN FOR INSPECTION	NO	FURNISH COPIES OF RECORDS	NO
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED	NO
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "THE TEXAS STRUCTURAL PEST CONTROL BOARD IS CREATED ... COMPOSED OF SEVEN MEMBERS, FOUR ... APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE FOR TERMS OF TWO YEARS ... MUST HAVE BEEN ENGAGED IN ... STRUCTURAL PEST CONTROL FOR AT LEAST FIVE YEARS. NO TWO MEMBERS ... (MAY BE FROM) THE SAME BUSINESS ENTITY ... IN ADDITION ... THE COMMISSIONER OF AGRICULTURE, THE COMMISSIONER OF HEALTH, AND THE CHAIRMAN OF THE DEPARTMENT OF ENTOMOLOGY AT TEXAS A & M UNIVERSITY, OR THEIR DESIGNATED REPRESENTATIVES ... MEMBERS SERVE WITHOUT COMPENSATION ... BUT ENTITLED TO ... ACTUAL EXPENSES ... THE BOARD SHALL APPOINT AN EXECUTIVE DIRECTOR ..."

DEFINITIONS:

(LAW)

1. PERSON

(REGULATION)

1. ACT
2. APPLICANT
3. ARTICLE
4. BOARD
5. BRANCH BUSINESS OR OFFICE
6. CATEGORY
   A. FUMIGATION
   B. GENERAL
   C. LAWN AND ORNAMENTAL
   D. PEST CONTROL
   E. TERMITE CONTROL
   F. WEEDS

7. CHAIRMAN
8. EMPLOYEE
9. EXECUTIVE DIRECTOR
10. INSPECTOR
11. LICENSE
12. LICENSED OPERATOR
13. LICENSEE
14. PERSON
15. PEST CONTROL OPERATOR

FINANCIAL RESPONSIBILITY:	NONE.
PENALTIES:	
CIVIL	THE BOARD MAY REQUEST THE ATTORNEY GENERAL TO BRING SUIT TO ENJOIN A PERSON FROM ENGAGING IN THE BUSINESS OF STRUCTURAL PEST CONTROL WITHOUT A LICENSE.
CRIMINAL	NONE.
RELEVANT LAWS:	TEXAS HERBICIDE LAW (TEX. REV. CIV. STAT., ART 135B-4, SUPP. 1974) "TEXAS PESTICIDE CONTROL ACT" (SESSION LAWS, 1975, PAGE 1117, SENATE BILL 616, 1975)

TEXAS

TITLE: "TEXAS PESTICIDE CONTROL ACT"*
(SESSION LAWS, 1975, PAGE 1117; SENATE BILL 616, 1975)

PROHIBITED ACTS: UNLAWFUL TO:

SELL RESTRICTED PESTICIDES UNLESS LICENSED; ENGAGE IN COMMERCIAL APPLICATION OF RESTRICTED PESTICIDES UNLESS CERTIFIED AND LICENSED. PRIVATE APPLICATORS MUST BE CERTIFIED. LEAD AGENCY IS AGRICULTURE.

EXEMPTIONS: APPLICATORS LICENSED UNDER THE STRUCTURAL PEST CONTROL ACT.

CERTIFICATION OR LICENSING:

CATEGORIES: "AS PROVIDED BY FEDERAL STATUTES OR REGULATIONS."

COMMISSIONER OF AGRICULTURE RESPONSIBLE FOR:

AGRICULTURAL PEST CONTROL
DEMONSTRATION PEST CONTROL
FOREST PEST CONTROL
ORNAMENTAL AND TURF PEST CONTROL
REGULATORY PEST CONTROL
RIGHT-OF-WAY PEST CONTROL
SEED TREATMENT

TEXAS ANIMAL HEALTH COMMISSION:	ANIMAL PEST CONTROL
TEXAS WATER QUALITY BOARD:	AQUATIC PEST CONTROL
TEXAS STATE DEPARTMENT OF HEALTH:	HEALTH RELATED PEST CONTROL

QUALIFICATIONS: TO BE ESTABLISHED BY REGULATIONS.

APPLICATION: ON FORMS PROVIDED BY APPROPRIATE STATE AGENCY.

EXAMINATION: CONDUCTED BY APPROPRIATE STATE AGENCY.

FEES:

DEALERS, ANNUAL	NOT TO EXCEED	$ 100.00
COMMERCIAL AND NON-COMMERCIAL:		
TESTING FEE IN EACH LICENSE USE CATEGORY --	NOT TO EXCEED	10.00
COMMERCIAL APPLICATOR LICENSE	NOT TO EXCEED	100.00
NON-COMMERCIAL APPLICATOR LICENSE	NOT TO EXCEED	50.00
GOVERNMENTAL AGENCY LICENSES		NO FEE
PRIVATE APPLICATORS	NO LICENSE REQUIRED	
LATE RENEWAL (AFTER MARCH 1)	REEXAMINATION	
DEALER LATE RENEWAL	ADDITIONAL	5.00

ISSUANCE: ISSUED BY APPROPRIATE STATE AGENCY AFTER APPLICANT IS CERTIFIED. LICENSES EXPIRE DECEMBER 31.

RENEWAL: BY APPLICATION.

NONRESIDENTS: PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES

*PORTIONS OF THE ACT RELATING TO REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	YES
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING		EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: "PESTICIDE ADVISORY COMMITTEE.

(A) THE PESTICIDE ADVISORY COMMITTEE CONSISTING OF THE DEANS OF THE DEPARTMENTS OF AGRICULTURE OF TEXAS A & M UNIVERSITY AND TEXAS TECH UNIVERSITY, THE EXECUTIVE DIRECTOR OF THE PARKS AND WILDLIFE DEPARTMENT, THE COMMISSIONER OF THE STATE DEPARTMENT OF HEALTH, AND THE COMMISSIONER OF AGRICULTURE OR THEIR DESIGNATED REPRESENTATIVES. MEMBERS OF THE COMMITTEE SERVE AS EX OFFICIO MEMBERS ....

(B) THE COMMITTEE MEETS AT LEAST ONCE A YEAR AND AT SUCH OTHER TIMES AS DETERMINED BY THE COMMISSIONER, FOR THE PURPOSE OF ADVISING THE COMMISSIONER ON THE BEST USE OF PESTICIDES FOR THE PROTECTION OF PUBLIC HEALTH AND WELFARE, ANIMAL LIFE, AND PROPERTY. THE COMMITTEE SHALL RECEIVE REQUESTED ASSISTANCE FROM STATE UNIVERSITIES AND STATE AGENCIES, INCLUDING ASSISTANCE FROM CONSULTANTS RETAINED BY THE STATE UNIVERSITIES AND STATE AGENCIES, TO AID THE COMMITTEE IN ITS RECOMMENDATIONS TO THE COMMISSIONER REGARDING ANY PESTICIDE PROGRAM OR ANY OTHER RELATED MATTER SUBMITTED BY THE COMMISSIONER FOR THE COMMITTEE RECOMMENDATIONS."

DEFINITIONS:	1. ACTIVE INGREDIENT 2. ADULTERATED 3. ANIMAL 4. ANTIDOTE 5. CERTIFIED APPLICATOR 6. COMMERCIAL APPLICATOR 7. COMMISSIONER 8. COMPETENT 9. DEFOLIANT 10. DESICCANT 11. DEVICE 12. DIRECT SUPERVISION 13. DISTRIBUTE 14. DUE NOTICE 15. ENVIRONMENT 16. EQUIPMENT 17. FUNGUS 18. INERT INGREDIENT 19. INGREDIENT STATEMENT	20. INSECT 21. LABEL 22. LABELING 23. LAND 24. LICENSE USE CATEGORY 25. NEMATODE 26. NONCOMMERCIAL APPLICATION 27. PERSON 28. PEST 29. PESTICIDE 30. PESTICIDE DEALER 31. PLANT REGULATOR 32. PRIVATE APPLICATOR 33. REGISTERED APPLICATOR 34. REGULATORY AGENCY 35. RESTRICTED USE PESTICIDE 36. STATE LIMITED USE PESTICIDE 37. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT 38. WEED

FINANCIAL RESPONSIBILITY:

SURETY BOND OR LIABILITY INSURANCE:

PROPERTY DAMAGE:	NOT LESS THAN	$ 5,000.00
	NOT MORE THAN	100,000.00
BODILY INJURY:	NOT LESS THAN	5,000.00
DEDUCTIBLE AMOUNTS UP TO		1,000.00

PENALTIES:

CIVIL — NONE.

CRIMINAL — VIOLATION OF ACT CONSTITUTES A CLASS C MISDEMEANOR.

RELEVANT LAWS:

"TEXAS STRUCTURAL PEST CONTROL ACT"
(TEX. REV. CIV. STAT. ANN., ART. 135b-6, SUPP. 1974-1975)

TEXAS HERBICIDE LAW
(TEX. REV. CIV. STAT. ANN., ART. 135b-4, SUPP. 1974)

UTAH

TITLE: "ECONOMIC POISON APPLICATION ACT OF 1951"
(UTAH CODE ANN., § 4-4-14 TO 4-4-29, 1971)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE APPLICATION OF PESTICIDES FOR HIRE UNLESS LICENSED BY THE COMMISSIONER OF AGRICULTURE.

EXEMPTIONS: CUSTOM APPLICATORS WHOSE COMPENSATION IS LESS THAN $50/YEAR; AND NON-COMMERCIAL (INCLUDING FARMERS) APPLICATORS.

CERTIFICATION OR LICENSING:

CATEGORIES: CUSTOM APPLICATOR
PEST CONTROL OPERATOR

QUALIFICATIONS: "ADEQUATE" KNOWLEDGE REQUIRED.

APPLICATION: ON FORM PROVIDED BY COMMISSIONER, TO INCLUDE A LIST OF EQUIPMENT OR DEVICES TO BE USED IN CUSTOM APPLICATION.

EXAMINATION: WRITTEN EXAMINATION REQUIRED.

FEES: FIVE DOLLARS (EMPLOYEES OF GOVERNMENTAL AGENCIES EXEMPT FROM PAYMENT OF FEE BUT NOT FROM QUALIFICATIONS FOR LICENSE).

ISSUANCE: ISSUED UPON FINDING APPLICANT QUALIFIED. EXPIRES DECEMBER 31. LICENSE MAY BE SUSPENDED AND REVOKED FOR CAUSE AFTER OPPORTUNITY FOR A HEARING.

RENEWAL: ANNUAL LICENSE FEE OF $5 FOR RENEWAL.

NONRESIDENTS: PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	NO	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES

CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	YES
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	YES

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. AIRCRAFT
2. COMMISSIONER
3. CUSTOM APPLICATOR
4. ECONOMIC POISON
5. FUNGI
6. GROUND EQUIPMENT
7. INSECT
8. PERSON
9. PEST CONTROL OPERATOR
10. WEED

FINANCIAL RESPONSIBILITY: NONE.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT OR REGULATIONS IS A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $50 FOR FIRST OFFENSE, AND NOT MORE THAN $500 FOR EACH SUBSEQUENT OFFENSE.

RELEVANT LAWS:

"INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT OF 1951"
(REGISTRATION LAW)
(UTAH CODE ANN., § 4-4-1 TO 4-4-13, 1971)

"UTAH FOOD, DRUG, AND COSMETIC ACT"
(UTAH CODE ANN., § 4-26-1 TO 4-26-26, 1971)

"UTAH PESTICIDE CONTROL ACT"
(UTAH CODE ANN., § 4-4-30 TO 4-4-40, 1971)

PROVIDES FOR THE APPOINTMENT OF A PESTICIDE COMMITTEE; GRANTS THE COMMISSIONER OF AGRICULTURE AUTHORITY TO ADOPT A LIST OF RESTRICTED USE PESTICIDES, TO ISSUE REGULATIONS WITH THE APPROVAL OF THE COMMITTEE, AND OTHER AUTHORITIES RELATING TO THE SALE, DISTRIBUTION, USE, AND DISPOSAL OF PESTICIDES.

VERMONT

TITLE: CONTROL OF PESTICIDES
(VT. STAT. ANN., TIT. 6, § 1101 TO 1109, SUPP. 1975)

PROHIBITED ACTS: UNLAWFUL TO DISPLAY, SELL, APPLY, USE, SHIP, STORE, OR DISPOSE OF ECONOMIC POISONS IN VIOLATION OF LAW OR REGULATIONS. EVERY PERSON WHO APPLIES PESTICIDES MUST BE LICENSED.

EXEMPTIONS: LANDOWNERS, NEIGHBORHOOD OPERATORS (WITH PERMIT), BUT ALL USERS OF RESTRICTED PESTICIDES MUST BE CERTIFIED.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AGRICULTURAL
   (I) PLANT
   (II) ANIMAL
2. FOREST
3. ORNAMENTAL AND TURF
   (I) ORNAMENTAL AND
   (II) TURF
4. SEED TREATMENT
5. RIGHT-OF-WAY
6. INDUSTRIAL, INSTITUTIONAL, STRUCTURAL AND HEALTH
7. PUBLIC HEALTH
8. REGULATORY
9. DEMONSTRATION AND RESEARCH
10. AIRCRAFT
11. AQUATIC

QUALIFICATIONS — MUST POSSESS ADEQUATE KNOWLEDGE.

APPLICATION — ON FORMS PROVIDED BY THE COMMISSIONER.

EXAMINATION — ORAL AND WRITTEN.

FEES — REQUIREMENTS TO BE ESTABLISHED BY REGULATION. LICENSE FEE MAY NOT EXCEED $25.

APPLICATORS	$ 5.00
DEALERS, A-B	5.00
DEALERS, C	4.00

ISSUANCE — UPON PASSING EXAMINATION. VALID THROUGH DECEMBER 31.

RENEWAL — WITHOUT EXAMINATION, UNLESS ADDITIONAL KNOWLEDGE NECESSARY.

NONRESIDENTS — PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES

ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD:

"PESTICIDE ADVISORY COUNCIL ESTABLISHED.

(A) THE PESTICIDE ADVISORY COUNCIL, AS CONSTITUTED BY EXECUTIVE ORDER OF JANUARY 12, 1967, IS ESTABLISHED AS AN ADJUNCT TO THE EXECUTIVE OFFICE. MEMBERS OF THE COUNCIL SHALL BE PROFESSIONALLY QUALIFIED INDIVIDUALS WHO, BY EXPERIENCE AND TRAINING, ARE KNOWLEDGEABLE IN ONE OR MORE AREAS ASSOCIATED WITH PESTICIDES. ONE STAFF MEMBER OF EACH OF THE STATE DEPARTMENTS OR AGENCIES LISTED BELOW, TO BE DESIGNATED BY THE COMMISSIONER OF THE AGENCY EXCEPT AS OTHERWISE PROVIDED, SHALL REPRESENT EACH DEPARTMENT OR AGENCY ON THE COUNCIL:

1. THE FISH AND GAME DEPARTMENT
2. THE DEPARTMENT OF WATER RESOURCES
3. THE DEPARTMENT OF AGRICULTURE
4. THE DEPARTMENT OF FORESTS AND PARKS
5. THE DEPARTMENT OF HEALTH
6. THE AERONAUTICS BOARD
7. ONE PHYSICIAN FROM THE COLLEGE OF MEDICINE OF THE UNIVERSITY OF VERMONT NOMINATED BY ITS DEAN
8. ONE REPRESENTATIVE IN THE AREA OF ENTOMOLOGY, PLANT PATHOLOGY OR WEED CONTROL FROM THE UNIVERSITY OF VERMONT EXTENSION SERVICE TO BE NAMED BY THE DIRECTOR, AND
9. ONE REPRESENTATIVE IN THE AREA OF PESTICIDE RESEARCH FROM THE VERMONT AGRICULTURAL EXPERIMENT STATION NAMED BY THE DEAN OF THE COLLEGE OF AGRICULTURE OF THE UNIVERSITY OF VERMONT.

(B) EACH MEMBER OF THE COUNCIL SHALL SERVE UNTIL HIS DEATH OR RESIGNATION OR UNTIL HIS SUCCESSOR IS APPOINTED OR OTHERWISE DESIGNATED IN ACCORDANCE WITH THIS CHAPTER.

(C) THE CHAIRMAN OF THE COUNCIL SHALL BE DESIGNATED BY THE GOVERNOR AND SHALL SERVE AS HIS PERSONAL REPRESENTATIVE, AND SHALL COORDINATE ACTIVITIES OF THE COUNCIL.

(D) THE FUNCTIONS OF THE COUNCIL ARE:

1. TO REVIEW INSECT, PLANT DISEASE, WEED, NEMATODE, RODENT, NOXIOUS WILDLIFE, AND OTHER PEST CONTROL PROGRAMS WITHIN THE STATE AND TO ASSESS THE EFFECT OF SUCH PROGRAMS ON HUMAN HEALTH AND COMFORT, NATURAL RESOURCES, WATER, WILDLIFE, AND FOOD AND FIBRE PRODUCTION, AND WHERE NECESSARY MAKE RECOMMENDATIONS FOR GREATER SAFETY AND EFFICIENCY.
(2) TO SERVE AS THE ADVISORY GROUP TO THE AERONAUTICS BOARD RELATIVE TO THE SAFETY AND EFFECTIVENESS OF AERIALLY APPLIED PESTICIDES, AND TO SUCH OTHER STATE AGENCIES HAVING RESPONSIBILITIES FOR THE USE AND DISPERSAL OF PESTICIDES.
3. TO ADVISE THE EXECUTIVE BRANCH OF STATE GOVERNMENT WITH RESPECT TO LEGISLATION CONCERNING THE USE OF VARIOUS PEST CONTROL MEASURES.
4. TO SUGGEST PROGRAMS, POLICIES, AND LEGISLATION FOR WISE AND EFFECTIVE PESTICIDE CHEMICAL USE IN VERMONT AS THE NEED ARISES.
5. TO PREPARE ANNUALLY OR MORE FREQUENTLY AS DEEMED NECESSARY, A SUMMARY OF PESTICIDES WHICH BECAUSE OF THEIR HAZARDOUS CHARACTERISTICS OR PROPERTIES WARRANT SPECIAL SURVEILLANCE AND STRICTER CONTROL OF AVAILABILITY AND USE.
6. TO CONTROL IMPORTS FROM OUT OF STATE.

(E) THE COUNCIL SHALL MEET BIENNUALLY, ONCE IN THE FALL AND ONCE IN THE SPRING. MEETINGS AT OTHER TIMES MAY BE CALLED BY THE GOVERNOR, BY THE CHAIRMAN OR BY A MEMBER OF THE COUNCIL."

	(LAW)	(REGULATION)
DEFINITIONS:	1. COMMISSIONER	1. AIRCRAFT
	2. CUMULATIVE	2. APPLICATION METHODS
	3. ECONOMIC POISON	3. BRUSH-OUT
	4. PEST	4. COMMISSIONER
	5. PESTICIDE	5. EQUIPMENT
		6. FOREST TREES
		7. FRUIT AND CROP PLANTS
		8. ORNAMENTALS
		9. PERSON
		10. PESTICIDE APPLICATOR
		11. PESTICIDE DEALER
		12. PESTICIDE OPERATOR
		13. RIGHT-OF-WAY
		14. SHADE TREES
		15. VEGETATION

FINANCIAL RESPONSIBILITY: TO BE ESTABLISHED BY REGULATION, BUT MAY NOT EXCEED $10,000.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF THE ACT OR REGULATIONS SUBJECT TO A FINE OF NOT MORE THAN $500 FOR THE FIRST OFFENSE AND NOT MORE THAN $500 FOR EACH SUBSEQUENT OFFENSE.

RELEVANT LAWS:

PESTICIDE REGISTRATION ACT (REGISTRATION LAW)
(VT. STAT. ANN., TIT. 6, § 911 TO 928, 1973)

CONTROL OF INSECT PESTS AND PLANT DISEASES
(VT. STAT. ANN., TIT. 6, § 981 ET SEQ., 1945)

VERMONT AERONAUTICS COMMISSION
(VT. STAT. ANN., TIT. 5, § 18C, 1956)

LABELING OF FOOD, DRUGS, COSMETICS AND HAZARDOUS SUBSTANCES
(VT. STAT. ANN., TIT. 18, § 4051 TO 4071, 1968)

VIRGINIA

TITLE: "VIRGINIA PESTICIDE USE AND APPLICATION ACT OF 1975"
(VA. CODE ANN., § 3.1-249.1 TO 3.1-249.21, SUPP. 1975)

PROHIBITED ACTS: UNLAWFUL TO USE RESTRICTED USE PESTICIDES UNLESS CERTIFIED BY THE BOARD OF AGRICULTURE AND COMMERCE.

EXEMPTIONS: PERSONS CONDUCTING LABORATORY TYPE RESEARCH; DOCTORS OF MEDICINE OR VETERINARY MEDICINE.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AGRICULTURAL
2. FOREST
3. ORNAMENTAL
4. SEED
5. AQUATIC
6. RIGHT-OF-WAY
7. INDUSTRIAL
8. HEALTH RELATED
9. REGULATORY
10. DEMONSTRATION AND RESEARCH

QUALIFICATIONS: STANDARDS FOR CERTIFICATION MAY BE ESTABLISHED BY REGULATION.

APPLICATION: ON FORMS PRESCRIBED BY THE COMMISSIONER.

EXAMINATION: MUST PASS EXAMINATION TO DEMONSTRATE COMPETENCE TO USE RESTRICTED USE PESTICIDES.

FEES

INITIAL CERTIFICATION OR LICENSE	$ 25.00
RENEWALS	15.00
GOVERNMENTAL BODIES AND PRIVATE APPLICATORS	NO FEE
LATE RENEWAL, PLUS	25%

ISSUANCE: UPON BEING FOUND QUALIFIED. EXPIRE AT END OF CALENDAR YEAR.

RENEWAL: RENEWABLE UPON PAYMENT OF FEE. COMMISSIONER MAY REQUIRE RE-EXAMINATION IF NEW KNOWLEDGE OR NEW TECHNOLOGY IS DEVELOPED. PRIVATE APPLICATOR CERTIFICATION MAY BE RENEWED BY PRESENTING EVIDENCE OF COMPLETION OF EDUCATIONAL COURSES, PROGRAMS, OR SEMINARS.

NONRESIDENTS: PROVISIONS FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES

REQUIRE USE PERMITS	NO	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	NO
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAF	YES
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD:

"THERE IS HEREBY CREATED A PESTICIDE ADVISORY COMMITTEE COMPOSED OF TWELVE MEMBERS, OF WHOM THREE SHALL BE PESTICIDE APPLICATORS RESIDING IN THE STATE, TWO LICENSED AS A COMMERCIAL APPLICATOR AND ONE LICENSED AS A PRIVATE APPLICATOR, ONE COMMERCIAL PRODUCER OF FOOD OR FEED COMMODITIES, ONE ENVIRONMENTAL HEALTH SPECIALIST FROM THE VIRGINIA DEPARTMENT OF HEALTH, ONE REPRESENTATIVE FROM THE AGRICULTURAL CHEMICAL INDUSTRY, ONE REPRESENTATIVE FROM THE VIRGINIA DEPARTMENT OF AGRICULTURE AND COMMERCE, ONE REPRESENTATIVE FROM THE VIRGINIA COMMISSION OF GAME AND INLAND FISHERIES, ONE REPRESENTATIVE FROM THE STATE WATER CONTROL BOARD, ONE REPRESENTATIVE FROM VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY, ONE INDUSTRIAL USER AND ONE PRIVATE CITIZEN CHOSEN AT LARGE. SUCH MEMBERS SHALL BE APPOINTED BY THE COMMISSIONER FOR TERMS OF FOUR YEARS AND MAY BE APPOINTED FOR SUCCESSIVE FOUR YEAR TERMS AT THE DISCRETION OF THE COMMISSIONER PROVIDED; THAT AT THE INCEPTION OF THIS COMMITTEE THE COMMISSIONER SHALL APPOINT SIX MEMBERS FOR A PERIOD OF FOUR YEARS, THREE MEMBERS FOR A PERIOD OF THREE YEARS, AND THREE MEMBERS FOR A PERIOD OF TWO YEARS. ALL SUBSEQUENT TERMS FOR APPOINTMENTS TO THIS COMMITTEE SHALL BE FOR A PERIOD OF FOUR YEARS. THE COMMISSIONER MAY REMOVE ANY MEMBER OF THE COMMITTEE PRIOR TO THE EXPIRATION OF HIS TERM OF APPOINTMENT FOR CAUSE.

UPON THE DEATH, RESIGNATION OR REMOVAL FOR CAUSE OF ANY MEMBER OF THE COMMITTEE, THE COMMISSIONER SHALL FILL SUCH VACANCY WITHIN THIRTY DAYS OF ITS CREATION, FOR THE REMAINDER OF ITS TERM IN THE MANNER HEREIN PRESCRIBED FOR APPOINTMENT TO THE COMMITTEE.

THE COMMITTEE SHALL ADVISE THE BOARD ON ANY OR ALL PROBLEMS RELATING TO THE USE AND APPLICATION OF PESTICIDES. THIS MAY INCLUDE PEST CONTROL PROBLEMS, ENVIRONMENTAL OR HEALTH PROBLEMS RELATED TO PESTICIDE USE, AND REVIEW OF NEEDED LEGISLATION, REGULATIONS AND AGENCY PROGRAMS PURSUANT TO § 3.1-249.20.

THE COMMISSIONER SHALL APPOINT THE COMMITTEE CHAIRMAN. THE MEMBERS OF THE COMMITTEE SHALL MEET AT SUCH TIME AND AT SUCH PLACE AS SHALL BE SPECIFIED BY THE CALL OF THE BOARD, CHAIRMAN OR A MAJORITY OF THE COMMITTEE. A MAJORITY OF THE COMMITTEE SHALL CONSTITUTE A QUORUM."

DEFINITIONS:

1: BOARD
2: CERTIFIED APPLICATOR
3: COMMERCIAL APPLICATOR
PRIVATE APPLICATOR
4: COMMISSIONER
5: COMMITTEE
6: COMPETENT
7: RESTRICTED USE PESTICIDE
8: UNDER THE DIRECT SUPERVISION
9: UNREASONABLE ADVERSE EFFECTS OF THE ENVIRONMENT

FINANCIAL RESPONSIBILITY:

SURETY BOND OR LIABILITY INSURANCE; AMOUNT TO BE ESTABLISHED BY REGULATION BUT MAY NOT EXCEED $100,000 FOR PROPERTY DAMAGE AND LIKE AMOUNT FOR PERSONAL INJURY, $500 DEDUCTIBLE PERMITTED.

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF ACT OR REGULATIONS CONSTITUTES CLASS 1 MISDEMEANOR.

RELEVANT LAWS:

"VIRGINIA PESTICIDE LAW" (REGISTRATION LAW)
(VA. CODE ANN., S. 3.1-189 TO 3.1-249, 1973)

PEST CONTROL COMPACT
(VA. CODE ANN., 3.1-188.1 TO 3.1-188.19, SUPP. 1973)

WASHINGTON

TITLE: "WASHINGTON PESTICIDE APPLICATION ACT"
(WASH. REV. CODE, § 17.21.010 TO 17.21.931, SUPP. 1974)

PROHIBITED ACTS: UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES TO THE LAND OF ANOTHER WITHOUT A PESTICIDE APPLICATOR'S LICENSE. INCLUDES MANUAL OR MECHANICAL APPLICATION TO CROPS, ORNAMENTALS, AND STRUCTURES. THE ACT MAKES THE STATE, MUNICIPAL CORPORATIONS AND PUBLIC UTILITIES SUBJECT TO TORT LIABILITY FOR THEIR IMPROPER APPLICATION OF PESTICIDES.

EXEMPTIONS: LICENSE NOT REQUIRED BY FOREST LANDOWNER OR FARMER OWNER APPLYING PESTICIDES TO OWNED LAND BY GROUND EQUIPMENT; LANDSCAPE GARDENER; TAKING CARE OF LAWNS AND YARDS; ONLY THOSE GOVERNMENTAL EMPLOYEES ENGAGED IN RESEARCH AND HEALTH OFFICERS ENGAGED IN PEST CONTROL OTHER THAN WEED CONTROL; HOWEVER ALL PERSONS (EXCEPT LICENSED PESTICIDE APPLICATORS) MUST OBTAIN AN ANNUAL USERS PERMIT (OBTAINABLE FROM AUTHORIZED PESTICIDES DEALERS) PRIOR TO PURCHASE OR USE OF RESTRICTED USE PESTICIDES. SEE ALSO "WASHINGTON PESTICIDE CONTROL ACT."

CERTIFICATION OR LICENSING:

CATEGORIES

AERIAL - GROUND - MANUAL	ORNAMENTAL SPRAYERS
AGRICULTURAL CROP SPRAYERS	RIGHT-OF-WAY SPRAYERS
PEST CONTROL OPERATORS	OTHERS AUTHORIZED

QUALIFICATIONS APPLICANT MUST DEMONSTRATE KNOWLEDGE OF PESTICIDE USAGE.

APPLICATION TO BE ON FORM PROVIDED BY DIRECTOR AND MADE ON OR BEFORE JANUARY 1.

EXAMINATION THE DIRECTOR MAY NOT ISSUE A LICENSE UNTIL APPLICANT HAS PASSED AN EXAMINATION.

FEES

PESTICIDE APPLICATOR	$ 50.00
PESTICIDE OPERATOR	10.00
NON-SCHEDULED EXAMINATION	5.00
OVER ONE APPARATUS LICENSE, EACH	10.00
DEALER'S LICENSE	10.00
PEST CONTROL CONSULTANT LICENSE	10.00
PUBLIC PEST CONTROL CONSULTANT	NONE
PUBLIC OPERATORS	NONE
RENEWAL DELINQUENT PENALTY	25%

ISSUANCE LICENSE ISSUED UPON PASSING EXAMINATION AND PAYMENT OF FEE. ALL LICENSES EXPIRE DECEMBER 31. LICENSE MAY BE DENIED, SUSPENDED, OR REVOKED FOR CAUSE.

RENEWAL RENEWABLE BY APPLICATION AND EXAMINATION.

NONRESIDENTS NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES

ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: "THERE IS HEREBY CREATED A PESTICIDE ADVISORY BOARD CONSISTING OF THREE LICENSED PESTICIDE APPLICATORS RESIDING IN THE STATE ... (ONE SHALL BE LICENSED TO OPERATE GROUND APPARATUS, ONE SHALL BE LICENSED TO OPERATE AERIAL APPARATUS, AND ONE SHALL BE LICENSED FOR STRUCTURAL PEST CONTROL), ONE ENTOMOLOGIST IN PUBLIC SERVICE ... ONE TOXICOLOGIST IN PUBLIC SERVICE, ONE PLANT PATHOLOGIST IN PUBLIC SERVICE, ONE MEMBER FROM THE AGRICULTURAL CHEMICAL INDUSTRY, ONE MEMBER FROM THE FOOD PROCESSING INDUSTRY ... ONE LICENSED PEST CONTROL CONSULTANT ... ONE LICENSED PESTICIDE DEALER MANAGER ... AND TWO PRODUCERS OF AGRICULTURAL CROPS OR PRODUCTS ON WHICH PESTICIDES ARE APPLIED OR WHICH MAY BE AFFECTED BY THE APPLICATION OF PESTICIDES. SUCH MEMBERS SHALL BE APPOINTED BY THE GOVERNOR FOR TERMS OF FOUR YEARS AND MAY BE APPOINTED FOR SUCCESSIVE FOUR YEAR TERMS AT THE DISCRETION OF THE GOVERNOR. THE GOVERNOR MAY REMOVE ANY MEMBER OF THE BOARD PRIOR TO THE EXPIRATION OF HIS TERM OF APPOINTMENT FOR CAUSE .... THE BOARD SHALL ALSO INCLUDE THE ENVIRONMENTAL HEALTH SPECIALIST FROM THE DIVISION OF HEALTH OF THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES, THE SUPERVISOR OF THE GRAIN AND CHEMICAL DIVISION OF THE DEPARTMENT, AND THE DIRECTORS, OR THEIR APPOINTED REPRESENTATIVES, OF THE DEPARTMENTS OF GAME, FISHERIES, NATURAL RESOURCES, AND ECOLOGY."

DEFINITIONS:

1. AGRICULTURAL CROPS
2. APPARATUS
3. BOARD
4. DEFOLIANT
5. DEPARTMENT
6. DESICCANT
7. DEVICE
8. DIRECTOR
9. ENGAGE IN BUSINESS
10. FUNGI
11. FUNGICIDE
12. HERBICIDE
13. INSECT
14. INSECTICIDE
15. LAND
16. NEMATODE
17. NEMATOCIDE
18. PERSON
19. PEST
20. PESTICIDE
21. PLANT REGULATOR
22. RESTRICTED USE PESTICIDE
23. RODENTICIDE
24. SNAILS OR SLUGS
25. WEED

FINANCIAL RESPONSIBILITY:

PERSONAL INJURY: NOT LESS THAN	$ 25,000.00
PROPERTY DAMAGE: NOT LESS THAN	25,000.00
AERIAL APPLICATORS: DEDUCTIBLE AMOUNT NOT TO EXCEED	100.00
OTHER APPLICANTS: DEDUCTIBLE AMOUNT NOT TO EXCEED	250.00

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF THE LAW OR REGULATIONS CONSTITUTES A MISDEMEANOR UPON THE FIRST OFFENSE AND A GROSS MISDEMEANOR UPON A SECOND OR SUBSEQUENT OFFENSE. AN OFFENSE COMMITTED FIVE YEARS AFTER A PREVIOUS CONVICTION IS A FIRST OFFENSE.

RELEVANT LAWS:

"WASHINGTON PESTICIDE CONTROL ACT" (REGISTRATION LAW) (WASH. REV. CODE, § 15.58.010 TO 15.58.930, SUPP. 1974)

PROVIDES AUTHORITY FOR LICENSING PESTICIDE DEALERS AND CONSULTANTS; AUTHORITY TO REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES; TO REQUIRE USE AND PURCHASE PERMITS; TO ADOPT AND PUBLISH LISTS OF RESTRICTED USE PESTICIDES.

WEST VIRGINIA

TITLE: "THE WEST VIRGINIA PESTICIDE USE AND APPLICATION ACT OF 1975" (W. VA. CODE ANN.; § 19-16B-1 TO 19-16B-26, SUPP. 1982)

PROHIBITED ACTS: UNLAWFUL TO USE A RESTRICTED USE PESTICIDE UNLESS CERTIFIED BY THE COMMISSIONER OF AGRICULTURE, AND UNLAWFUL TO ENGAGE IN THE BUSINESS OF APPLYING PESTICIDES UNLESS LICENSED. DEALERS IN RESTRICTED USE PESTICIDES MUST BE LICENSED.

EXEMPTIONS: EXPERIMENTAL RESEARCH AND VETERINARY PRACTICES.

CERTIFICATION OR LICENSING:

CATEGORIES

1. AGRICULTURAL PEST CONTROL
   A. AGRICULTURAL PLANT PEST CONTROL
   B. AGRICULTURAL PEST CONTROL AERIAL APPLICATOR
   C. ANIMAL PEST CONTROL
2. FOREST PEST CONTROL
   A. AERIAL FOREST PEST CONTROL
3. ORNAMENTAL AND TURF PEST CONTROL
   A. AERIAL ORNAMENTAL AND TURF
4. SEED TREATMENT
5. AQUATIC PEST CONTROL
   A. AERIAL AQUATIC PEST CONTROL
6. RIGHT-OF-WAY PEST CONTROL
   A. AERIAL ROW PEST CONTROL
7. INDUSTRIAL, INSTITUTIONAL, STRUCTURAL AND HEALTH RELATED PEST CONTROL
   A. GENERAL
   B. STRUCTURAL
   C. FUMIGATION
8. DEMONSTRATION AND RESEARCH PEST CONTROL
   A. DEMONSTRATION
   B. RESEARCH
9. LICENSED PUBLIC OPERATOR
   A. PUBLIC HEALTH PEST
   B. REGULATORY PEST
10. OTHER CATEGORIES AND SUB-CATEGORIES MAY BE ESTABLISHED BY THE COMMISSIONER.

QUALIFICATIONS COMMISSIONER MAY PRESCRIBE STANDARDS FOR CERTIFICATION OF APPLICATORS.

APPLICATION IN WRITING ON FORMS PROVIDED BY THE COMMISSIONER.

EXAMINATION MUST PASS AN EXAMINATION TO DEMONSTRATE COMPETENCE. MAY NOT EXCEED MINIMUM EPA REQUIREMENTS.

FEES

LICENSED APPLICATOR (BUSINESS)	$ 30.00
GOVERNMENTAL BODIES (PUBLIC OPERATORS)	NO FEE
COMMERCIAL APPLICATOR	1.00
PRIVATE APPLICATOR	1.00

ISSUANCE UPON BEING FOUND QUALIFIED, PROOF OF FINANCIAL RESPONSIBILITY, AND COMPLIANCE WITH OTHER STATE LAWS. EXPIRE AT END OF CALENDAR YEAR.

RENEWAL MAY REQUIRE EVIDENCE OF ATTENDANCE AT APPROVED WORKSHOP OR TRAINING SESSION AT NO LESS THAN 3-YEAR INTERVALS. LICENSE, PERMIT, OR CERTIFICATION NOT RENEWED BY MARCH 1 MAY REQUIRE RE-EXAMINATION.

NONRESIDENTS	PROVISION FOR RECIPROCITY. MUST APPOINT RESIDENT AGENT TO ACCEPT SERVICE OF LEGAL PROCESSES.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	NO	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT OAP	YES
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	YES	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	NO

PESTICIDE BOARD: "THERE IS HEREBY CREATED A PESTICIDE ADVISORY BOARD CONSISTING OF SEVEN PERSONS INCLUDING THE COMMISSIONER OF AGRICULTURE WHO SHALL BE CHAIRMAN, AND ONE OF WHOM SHALL BE FROM STRUCTURAL PEST CONTROL, ONE OF WHOM SHALL BE A QUALIFIED ENVIRONMENTAL HEALTH SPECIALIST, ONE OF WHOM SHALL BE EMPLOYED IN THE AGRICULTURAL CHEMICAL INDUSTRY, ONE OF WHOM SHALL BE KNOWLEDGEABLE IN THE AREA OF WILDLIFE RESOURCES, ONE OF WHOM SHALL BE A PRODUCER OF AGRICULTURAL CROPS ON WHICH PESTICIDES ARE APPLIED, AND ONE OF WHOM SHALL BE A CITIZEN MEMBER WHO SHALL BE KNOWLEDGEABLE IN THE FIELD OF PESTICIDES. THE SIX MEMBERS NOT REPRESENTING GOVERNMENT DEPARTMENTS SHALL BE APPOINTED BY THE COMMISSIONER FOR TERMS OF FOUR YEARS AND MAY SERVE SUCCESSIVE TERMS; PROVIDED, THAT AT THE INCEPTION TWO SHALL BE APPOINTED FOR ONE YEAR, TWO FOR TWO YEARS, ONE FOR THREE YEARS, AND ONE FOR FOUR YEARS.

THE BOARD SHALL ADVISE THE COMMISSIONER ON PROBLEMS RELATING TO THE USE AND APPLICATION OF PESTICIDES. THE BOARD SHALL MEET AT SUCH TIME AND PLACE AS CALLED BY THE CHAIRMAN OR BY A MAJORITY OF THE BOARD. MEMBERS SHALL SERVE WITHOUT COMPENSATION AND MEMBERS NOT FROM GOVERNMENTAL DEPARTMENTS SHALL BE PAID EXPENSES AT THE SAME RATE AS PAID TO EMPLOYEES OF THE STATE ACCORDING TO THE RULES AND REGULATIONS AS PROMULGATED PURSUANT TO THE WEST VIRGINIA CODE...."

DEFINITIONS:

(LAW)

1. AGRICULTURAL COMMODITY
2. ANIMAL
3. CERTIFIED APPLICATOR
4. COMMERCIAL APPLICATOR
5. COMMISSIONER
6. DEFOLIANT
7. DESICCANT
8. DEVICE
9. DIRECT SUPERVISION
10. ENVIRONMENT
11. FUNGUS
12. INSECT
13. LAND
14. LICENSED APPLICATOR
15. LICENSED PUBLIC OPERATOR
16. NEMATODE
17. PERMIT
18. PERSON
19. PEST
20. PESTICIDE
21. PESTICIDE DEALER
22. PLANT REGULATOR
23. PRIVATE APPLICATOR
24. RESTRICTED USE PESTICIDE
25. STATE RESTRICTED USE PESTICIDE
26. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
27. WEED

(REGULATIONS)

1. ACCIDENT
2. ACT
3. COMPETENT
4. FUMIGANT
5. FUMIGATION
6. REGULATED PEST

FINANCIAL RESPONSIBILITY:

SURETY BOND OR LIABILITY INSURANCE: (LICENSE APPLICATORS ONLY)

AERIAL APPLICATORS, BODILY INJURY	300,000.00
AERIAL APPLICATORS, PROPERTY DAMAGE	300,000.00
OTHER CATEGORIES, BODILY INJURY	300,000.00
OTHER CATEGORIES, PROPERTY DAMAGE	100,000.00
CATEGORIES AND SUB-CATEGORIES NO. 8 AND 9	NONE
CATEGORIES AND SUB-CATEGORIES NO. 8 AND 9 PROPERTY DAMAGE	NONE

PENALTIES:

CIVIL

NONE.

CRIMINAL

VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100 NOR MORE THAN $500. SECOND OFFENSE SUBJECT TO A FINE OF NOT LESS THAN $500 NOR MORE THAN $1,000, OR IMPRISONMENT IN COUNTY JAIL FOR NOT MORE THAN 6 MONTHS, OR BOTH FINE AND IMPRISONMENT.

RELEVANT LAWS: "PESTICIDE ACT OF 1961" (REGISTRATION LAW)
(W. VA. CODE ANN., § 19-16A, 1-13, 1966)

"THE INTERAGENCY PESTICIDE COMMITTEE ACT"
(W. VA. CODE ANN., § 19-12C, 1-7, 1966)

REPRESENTS STATE DEPARTMENTS OF AGRICULTURE (CHAIRMAN), NATURAL RESOURCES, PUBLIC HEALTH, AGRICULTURAL EXPERIMENT STATION, AND AIR POLLUTION CONTROL. THIS IS AN ADVISORY COMMITTEE, WITHOUT ADMINISTRATIVE OR OPERATIONAL AUTHORITIES OR RESPONSIBILITIES, WHOSE DUTIES ARE TO REVIEW CURRENT USE OF PESTICIDES, REVIEW STATE PESTICIDE PROGRAMS, CONSIDER PROBLEMS ARISING FROM PESTICIDE USE, RECOMMEND PESTICIDE CONTROL LEGISLATION TO THE GOVERNOR, AND ADVISE ON AND APPROVE ALL PROGRAMS INVOLVING USE OF PESTICIDES ON STATE PROPERTY.

WISCONSIN

TITLE: NO COMPLETE PESTICIDE USE AND APPLICATION LAW

RELEVANT LAWS:

PESTICIDE REVIEW BOARD
(WIS. STAT., § 15.195,1967)

CREATES BOARD AND DEFINES AUTHORITY. " ... THERE IS CREATED IN THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES A PESTICIDE REVIEW BOARD. THE REVIEW BOARD SHALL CONSIST OF THE SECRETARY OF AGRICULTURE, THE SECRETARY OF NATURAL RESOURCES AND THE SECRETARY OF HEALTH AND SOCIAL SERVICES, OR THEIR DESIGNATED REPRESENTATIVES ...."

" ... THE DEPARTMENT OF NATURAL RESOURCES ... MAY ADOPT RULES GOVERNING THE USE OF PESTICIDES (HAZARDOUS TO WILDLIFE) ... SUCH RULES ARE NOT EFFECTIVE UNTIL APPROVED BY THE PESTICIDE REVIEW BOARD ...."

" ... THE DEPARTMENT OF AGRICULTURE MAY ADOPT RULES ... TO GOVERN THE CONDITIONS UNDER WHICH CONTAINERS OF PESTICIDES MAY BE TRANSPORTED, STORED, OR DISPOSED OF ... TO GOVERN THE USE OF PESTICIDES, INCLUDING THEIR FORMULATION, AND TO DETERMINE THE TIMES AND METHODS OF APPLICATION AND OTHER CONDITIONS OF USE ... SUCH RULES ARE NOT EFFECTIVE UNTIL APPROVED BY THE PESTICIDE REVIEW BOARD ...."

DISTRIBUTION AND SALE OF DDT PROHIBITED
(WIS. STAT., § 134.67, 1967)

PROHIBITS SALE OR USE OF DDT, EXCEPT UNDER CERTAIN SITUATIONS WHEN AUTHORIZED BY THE PESTICIDE REVIEW BOARD.

WISCONSIN PESTICIDE LAW (REGISTRATION LAW)
(WIS. STAT., § 94.67 TO 94.71, 1967)

WYOMING

TITLE:	"WYOMING ENVIRONMENTAL PESTICIDE CONTROL ACT OF 1973" (WYO STAT. ANN., § 35-262.1 TO 35-262.23, SUPP. 1973)
PROHIBITED ACTS:	UNLAWFUL TO USE RESTRICTED USE PESTICIDES UNLESS CERTIFIED AND LICENSED BY THE COMMISSIONER OF AGRICULTURE.
EXEMPTIONS:	PRIVATE APPLICATORS EXEMPT FROM "LICENSING" PROVISIONS OF THE ACT, BUT MUST BE CERTIFIED TO USE RESTRICTED PESTICIDES.
CERTIFICATION OR LICENSING:	
CATEGORIES	COMMERCIAL APPLICATOR PRIVATE APPLICATOR
QUALIFICATIONS APPLICATION EXAMINATION FEES ISSUANCE NONRESIDENTS	"REGULATIONS MAY PRESCRIBE STANDARDS FOR ... CLASSIFICATION ... CERTIFICATION ... LICENSING ... FEES ... (APPLICATION) INFORMATION ... PASSING OF EXAMINATIONS ... ISSUE(ING) LICENSES ... ON A RECIPROCAL BASIS (TO NON-RESIDENTS WHO ARE CERTIFIED IN ANOTHER STATE SUBSTANTIALLY IN ACCORDANCE WITH THIS ACT). NON-RESIDENT REQUIRED TO APPOINT THE COMMISSIONER AS HIS ATTORNEY TO RECEIVE SERVICES OF LEGAL PROCESSES."

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	YES	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES

CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: (BOARD OF CERTIFICATION TO ADOPT REGULATIONS)

"A BOARD OF CERTIFICATION IS ESTABLISHED CONSISTING OF THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE, AND A MEMBER OF THE WYOMING WEED AND PEST COUNCIL AND A UNIVERSITY WEED OR PEST SPECIALIST TO BE APPOINTED BY THE GOVERNOR."

DEFINITIONS:

1. APPLICATOR OR OPERATOR
   A. CERTIFIED APPLICATOR
   B. COMMERCIAL APPLICATOR
   C. PRIVATE APPLICATOR
2. BOARD OF AGRICULTURE
3. DEVICE
4. PESTICIDE
5. RESTRICTED USE PESTICIDE

FINANCIAL RESPONSIBILITY: SURETY BOND IN THE AMOUNT OF $20,000 REQUIRED AS A PREREQUISITE TO ISSUANCE OF LICENSE.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT MORE THAN $500 OR IMPRISONMENT IN A COUNTY JAIL FOR NOT MORE THAN ONE YEAR, OR BOTH FINE AND IMPRISONMENT, FOR FIRST OFFENSE. SUBSEQUENT OFFENSES SUBJECT TO A FINE OF $1,000, OR NOT MORE THAN ONE YEAR IN A COUNTY JAIL, OR BOTH FINE AND IMPRISONMENT. AN OFFENSE COMMITTED MORE THAN THREE YEARS AFTER A PREVIOUS CONVICTION SHALL BE CONSIDERED A FIRST OFFENSE. INJUNCTIVE REMEDIES MADE AVAILABLE UNDER THE ACT.

RELEVANT LAWS:

AERIAL SPRAYING
(WYO. STAT. ANN., § 10-4 TO 10-9, 1957)

REQUIRES ANNUAL REGISTRATION OF AERIAL APPLICATORS, KEEPING OF CERTAIN RECORDS OF EACH APPLICATION, SPECIFIC SAFETY DEVICES ON AIRCRAFT, AND RELATED SAFE PRACTICES.

WEED AND PEST CONTROL DISTRICTS
(WYO. STAT. ANN., § 11-55.1 TO 11.55.20, 1957)

PUERTO RICO

TITLE:	"AN ACT TO REGULATE THE COMMERCIAL APPLICATION OF INSECTICIDES AND/OR ECONOMIC POISONS IN PUERTO RICO" (1966) (P.R. LAWS ANN., TIT. 10, § 976 TO 976(H), SUPP. 1973)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE APPLICATION OF PESTICIDES FOR PROFIT UNLESS LICENSED BY THE SECRETARY OF HEALTH. THIS ACT IS IN THE NATURE OF A STRUCTURAL PEST CONTROL LAW AND RELATES ONLY TO PUBLIC HEALTH PEST CONTROL.
EXEMPTIONS:	PUBLIC OFFICERS ENGAGED IN FUMIGATION IN DISCHARGE OF OFFICIAL DUTIES, AND OWNERS OR LEGAL HOLDERS, ENGAGED IN FUMIGATION TASKS ON THEIR OWN LAND OR STRUCTURES.
CERTIFICATION OR LICENSING:	
CATEGORIES	PEST CONTROL OPERATOR
QUALIFICATIONS	BE "OF AGE" AND IN "GOOD REPUTE" IN THE COMMUNITY.
APPLICATION	FILED WITH THE DEPARTMENT OF HEALTH, ON FORM PROVIDED.
EXAMINATION	WRITTEN EXAMINATION MAY BE REQUIRED.
FEES	APPLICATION FEE $ 5.00 LICENSE 15.00 RENEWAL FEE 10.00
ISSUANCE	LICENSE ISSUED BY THE SECRETARY UPON FINDING APPLICANT "... MEETS THE REQUIREMENTS OF LAW." LICENSES EXPIRE 1 YEAR AFTER ISSUANCE.
RENEWAL	RENEWABLE BY APPLICATION, ACCOMPANIED BY (1) CERTIFICATION THAT PESTICIDES TO BE USED WILL BE ONLY THOSE REGISTERED BY THE DEPARTMENT OF AGRICULTURE, (2) PROOF THAT ALL SUPERVISING EMPLOYEES HAVE EXPERIENCE, ABILITY, AND SKILL IN APPLYING PESTICIDES, (3) PROOF OF INSURANCE, AND (4) PAYMENT OF THE FEE FOR RENEWAL.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	NO
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO

REQUIRE USE PERMITS	NO	LICENSE DEALERS	NO
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	NO
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: SECRETARY OF HEALTH IS AUTHORIZED TO APPOINT A FIVE-MEMBER ADVISORY BOARD CONSISTING OF REPRESENTATIVES OF THE DEPARTMENTS OF HEALTH, LABOR, AND AGRICULTURE, AND TWO LICENSED PESTICIDE APPLICATORS.

DEFINITIONS:

1. ECONOMIC POISON
2. FOR PROFIT
3. PERSON
4. REGULATIONS
5. SECRETARY

FINANCIAL RESPONSIBILITY: NOT LESS THAN $50,000 FOR ONE PERSON, OR $100,000 FOR ONE OCCURRENCE.

PENALTIES:

CIVIL: NONE.

CRIMINAL: APPLICATION OF PESTICIDES BY PERSONS NOT AUTHORIZED BY SECRETARY IS IS A MISDEMEANOR, SUBJECT TO A FINE OF NOT LESS THAN $100, NOR MORE THAN $500 FOR FIRST OFFENSE; AND NOT LESS THAN $200, NOR MORE THAN $1,000 FOR EACH SUBSEQUENT OFFENSE.

VIOLATION OF THE ACT OR REGULATIONS BY LICENSED APPLICATORS IS A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100, NOR MORE THAN $500 FOR FIRST OFFENSE; AND A FINE OF NOT LESS THAN $300, NOR MORE THAN $2,000, FOR EACH SUBSEQUENT OFFENSE; AND/OR BY THE SUSPENSION OF LICENSE.

RELEVANT LAWS:

"ECONOMIC POISON ACT"
(P.R. LAWS ANN., TIT. 5, § 1001 TO 1013, SUPP. 1973)

HERBICIDE USE AND APPLICATION LAW
(P.R. LAWS ANN., TIT. 5, § 1014 TO 1016, 1963)

"THE SECRETARIES OF AGRICULTURE AND OF HEALTH ARE HEREBY AUTHORIZED AND EMPOWERED JOINTLY TO ADOPT, PROMULGATE, AND ENFORCE ... RULES AND REGULATIONS ... FOR SAFEGUARDING THE HEALTH OF PERSONS ENGAGED IN THE APPLICATION OR THE USE OF ... HERBICIDES ... VIOLATION OF ANY RULE AND/OR REGULATION ... SHALL BE A MISDEMEANOR ..." REGULATIONS HAVE BEEN ISSUED WHICH RELATE TO GOOD SAFETY PRACTICES, AND THE PROTECTION OF PERSONS AND AGRICULTURAL CROPS."

PUERTO RICO

TITLE:	"ECONOMIC POISON ACT"* (P.R. LAWS ANN., TIT. 5, § 1001 TO 1013, SUPP. 1973)
PROHIBITED ACTS:	UNLAWFUL TO ENGAGE IN THE BUSINESS OF COMMERCIALLY APPLYING ECONOMIC POISONS IN FARMING, UNLESS LICENSED BY THE SECRETARY OF AGRICULTURE AND COMMERCE.
EXEMPTIONS:	NONE. (FARMERS ARE NOT CONSIDERED COMMERCIAL OR BUSINESS APPLICATORS)
CERTIFICATION OR LICENSING:	
CATEGORIES	COMMERCIAL FARM APPLICATORS
QUALIFICATIONS	ABILITY TO READ AND WRITE, INTERPRET AND FOLLOW INSTRUCTIONS, CAPACITY TO UNDERSTAND AND TAKE NECESSARY SAFETY PRECAUTIONS, AND FREE OF PHYSICAL HANDICAPS AFFECTING FUNCTIONS OF APPLICATORS.
APPLICATION	ON FORMS PROVIDED BY THE SECRETARY.
EXAMINATION	
FEES	NONE.
ISSUANCE	LICENSES EXPIRE JUNE 30 OF ODD NUMBERED YEARS.
RENEWAL	BY APPLICATION.
NONRESIDENTS	NO PROVISION FOR RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	NO	CONDUCT TRAINING COURSES	NO
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	NO
PROVISION FOR REPORTS OF LOSS	NO	INVESTIGATE DAMAGES	NO
REQUIRE USE PERMITS	NO	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	NO	CERTIFY COMMERCIAL APPLICATORS	YES

*PORTIONS OF THE ACT WHICH RELATE TO THE REGISTRATION OF PESTICIDES ARE NOT INCLUDED IN THIS DIGEST.

CERTIFY PRIVATE APPLICATORS	NO	RETAIN RECORDS TWO YEARS	NO
RECORDS OPEN FOR INSPECTION	NO	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	NO	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	NO	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	NO	INJUNCTIVE PROCEDURES	NO
REQUIRE ACCIDENT REPORTING	NO	EXPERIMENTAL USE PERMITS	YES
ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	YES
REQUIRE PURCHASE PERMITS	NO	POST TREATED AREAS	NO

PESTICIDE BOARD: NO.

DEFINITIONS:

(LAW)	(REGULATION)
1. ADULTERATED	1. ACT
2. DEVICE	2. ACTIVE INGREDIENT
3. ECONOMIC POISON	3. ANTIDOTE
4. INGREDIENT STATEMENT	4. AUTHORIZED REPRESENTATIVE
5. LABEL	5. DEFOLIANT
6. LABELING	6. DEPARTMENT
7. MISBRANDED	7. ECONOMIC POISON
8. PERSON	8. FUNGI
9. REGISTRATION	9. FUNGICIDE
10. REGULATIONS	10. HERBICIDE
11. SECRETARY	11. IMPORTER
	12. INERT INGREDIENT
	13. INSECT
	14. INSECTICIDE
	15. LARVACIDE
	16. NEMATOCIDE
	17. OVICIDE
	18. PERSON
	19. PLANT REGULATORS
	20. REGISTRANT
	21. RODENT
	22. RODENTICIDE
	23. SECRETARY
	24. TO REGISTER
	25. WEED

FINANCIAL RESPONSIBILITY: SURETY BOND REQUIRED:

AIRPLANES OR HELICOPTERS	$ 40,000.00
MOTORIZED GROUND EQUIPMENT	30,000.00
MANUAL EQUIPMENT	20,000.00
DEDUCTIBLE CLAUSE	NONE

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF ACT OR REGULATION CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $100, NOR MORE THAN $500 FOR THE FIRST OFFENSE. SUBSEQUENT VIOLATION SUBJECT TO A FINE OF NOT LESS THAN $200 NOR MORE THAN $1,000, OR BY IMPRISONMENT FOR NOT LESS THAN 30 DAYS NOR MORE THAN 6 MONTHS, OR BOTH FINE AND IMPRISONMENT. OFFENSES COMMITTED 5 YEARS AFTER LAST CONVICTION, CONSIDERED A FIRST OFFENSE.

RELEVANT LAWS: "COMMERCIAL APPLICATION OF INSECTICIDES AND/OR ECONOMIC POISONS"
(P.R. LAWS ANN., TIT. 10, § 976 TO 976(H) 1966)

"HERBICIDE USE AND APPLICATION LAW"
(P.R. LAWS ANN., TIT. 5, § 1014 TO 1016, 1963)

VIRGIN ISLANDS

TITLE:	"VIRGIN ISLANDS PESTICIDE CONTROL ACT" TIT. 12 V. I. CODE, CHAPT. 19, § 801 TO 822 (BILL NO. 6703, ELEVENTH LEGISLATURE; ACT 3750, 1975)
PROHIBITED ACTS:	UNLAWFUL TO PURCHASE POSSESS, OR USE ANY RESTRICTED USE PESTICIDE UNLESS CERTIFIED BY THE COMMISSIONER OF THE DEPARTMENT OF CONSERVATION AND CULTURAL AFFAIRS UNDER PROVISIONS OF THE ACT.
EXEMPTIONS:	NONE.
CERTIFICATION OF LICENSING:	THE ACT AUTHORIZES THE COMMISSIONER TO ESTABLISH CATEGORIES AND SUBCATEGORIES, DETERMINE QUALIFICATION REQUIREMENTS, TO EXAMINE APPLICANTS, TO ESTABLISH FEES, ISSUE LICENSES OR CERTIFICATES, AND TO GRANT RECIPROCITY.

AUTHORIZATIONS:

ISSUE REGULATIONS	YES	ENFORCE THE ACT	YES
DELEGATE DUTIES	YES	RESTRICT PESTICIDE USAGE	YES
ENTER AND INSPECT PROPERTY	YES	ENTER COOPERATIVE AGREEMENTS	YES
PUBLISH INFORMATION	YES	CONDUCT TRAINING COURSES	YES
REGULATE STORAGE, TRANSPORTATION, OR DISPOSAL OF PESTICIDES	YES	REQUIRE COMPLIANCE WITH LABEL	YES
INSPECT OR LICENSE EQUIPMENT	YES	HOLD DISCIPLINARY HEARINGS	YES
ADMINISTER OATHS	NO	SUBPOENA POWERS	YES
PROVISION FOR REPORTS OF LOSS	YES	INVESTIGATE DAMAGES	YES
REQUIRE USE PERMITS	YES	LICENSE DEALERS	YES
DECLARE RESTRICTED USE PESTICIDES	YES	ESTABLISH CERTIFICATION STANDARDS	YES
CATEGORIZE COMMERCIAL APPLICATORS	YES	CERTIFY COMMERCIAL APPLICATORS	YES
CERTIFY PRIVATE APPLICATORS	YES	RETAIN RECORDS TWO YEARS	YES
RECORDS OPEN FOR INSPECTION	YES	FURNISH COPIES OF RECORDS	YES
WRITTEN RECOMMENDATIONS FROM ADVISORS	YES	CERTIFIED SUPERVISE NON-CERTIFIED APPLICATORS	YES
SUBMIT AND MAINTAIN STATE PLANS	YES	RECOGNIZE AND ACCEPT GAP	NO
RECIPROCITY	YES	INJUNCTIVE PROCEDURES	YES
REQUIRE ACCIDENT REPORTING	YES	EXPERIMENTAL USE PERMITS	NO

ADOPT FEDERAL REGULATIONS BY REFERENCE	NO	REGISTER SPECIAL LOCAL NEED PESTICIDES	NO
REQUIRE PURCHASE PERMITS	YES	POST TREATED AREAS	YES

PESTICIDE BOARD: NONE.

DEFINITIONS:

1. ACCIDENT
2. AGRICULTURAL COMMUNITY
3. APPLICATOR CERTIFICATE
4. CERTIFIED APPLICATOR
5. COMMERCIAL APPLICATOR
6. COMMISSIONER
7. ENVIRONMENT
8. EQUIPMENT
9. LAND
10. PERSON
11. PEST
12. PESTICIDE
13. PRIVATE APPLICATOR
14. RESTRICTED USE PESTICIDE
15. STATE
16. UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT
17. WEED

FINANCIAL RESPONSIBILITY: TO BE ESTABLISHED BY REGULATION; SURETY BOND OR LIABILITY INSURANCE, NOT LESS THAN $50,000.

PENALTIES:

CIVIL: NONE.

CRIMINAL: VIOLATION OF LAW OR REGULATIONS CONSTITUTES A MISDEMEANOR SUBJECT TO A FINE OF NOT LESS THAN $50, NOR MORE THAN $200, OR BY IMPRISONMENT NOT EXCEEDING ONE YEAR, OR BOTH FINE AND IMPRISONMENT, FOR THE FIRST OFFENSE. VIOLATION FOLLOWING ISSUANCE OF WRITTEN NOTICE FROM COMMISSIONER SHALL SUBJECT VIOLATOR TO A MAXIMUM FINE OF $500; BUT A VIOLATION THREE YEARS AFTER RECEIPT OF WRITTEN NOTICE SHALL BE A FIRST OFFENSE AND HANDLED AS A MISDEMEANOR.

RELEVANT LAWS: NONE.

AMERICAN SAMOA

TITLE: ECONOMIC POISONS
(CODE AMER. SAMOA, TIT. XX, § 20.0801 ET SEQ.)

SELECTED SECTIONS: (20.0803) "THE DIRECTOR OF AGRICULTURE MAY:

"(A) BAN THE IMPORTATION OF SUCH FUNGICIDES, HERBICIDES AND INSECTICIDES IN ADDITION TO DDT, AS HE SHALL FIND TO CONSTITUTE A DANGER TO PEOPLE, ANIMALS OR CROPS ....

(B) SETS FORTH REQUIREMENTS FOR THE LABELING OF FUNGICIDES, HERBICIDES, AND INSECTICIDE CONTAINERS SO THAT THE USERS OF THESE PRODUCTS MAY BE INFORMED OF THEIR PROPER USE, OF ANY DANGERS IN CASE OF MISUSE, AND OF THE METHODS FOR IMMEDIATE TREATMENT OF PERSONS HARMED THROUGH MISUSE.

(C) REQUIRES THAT FUNGICIDE, HERBICIDE, OR INSECTICIDE VENDORS PERSONALLY INFORM PURCHASERS OF THESE PRODUCTS OF THEIR PROPER USE AND DANGEROUS POTENTIAL PRIOR TO SALE."

(20.0804) "AGE RESTRICTIONS. SALE OF ANY FUNGICIDE, HERBICIDE OR INSECTICIDE TO PERSONS UNDER THE AGE OF EIGHTEEN (18) IS PROHIBITED."

DEFINITIONS: (20.0801)

1. FUNGICIDE
2. HERBICIDE
3. INSECTICIDE

(DC-54-00-00)

DISTRICT OF COLUMBIA

TITLE: NO PESTICIDE USE AND APPLICATION LAW

(GU-55-00-00)

GUAM

TITLE: NO PESTICIDE USE AND APPLICATION LAW

RELEVANT LAWS: ECONOMIC POISON LAW

TRUST TERRITORIES OF THE PACIFIC

TITLE: NO PESTICIDE USE AND APPLICATION LAW

STATE PESTICIDE CONTROL LAWS

ALABAMA

"ALABAMA PESTICIDE ACT OF 1971" (REGISTRATION LAW)
(CODE OF ALA., TIT. 2, § 337(9A) to 337(9H), SUPP. 1973)

CUSTOM APPLICATION OF PESTICIDES
(CODE OF ALA., TIT. 2, § 337(12A) TO 337(12H), SUPP. 1973)

REQUIREMENTS FOR PERSONS PERFORMING PROFESSIONAL WORK OR SERVICES PERTAINING TO ENTOMOLOGY, PATHOLOGY, HORTICULTURE, FLORICULTURE, AND TREE SURGERY
(CODE OF ALA., TIT. 2, § 671 to 677, SUPP. 1973)

ALASKA

ENVIRONMENTAL CONSERVATION (PESTICIDE CONTROL)
(ALASKA STAT., § 46.03.320 TO 46.03.730, 1971)
(NOTE: THIS ACT IS A COMPREHENSIVE LAW RELATING TO ALL PHASES OF ENVIRONMENTAL PROTECTION INCLUDING REGULATION OF PESTICIDES.)

ARIZONA

"ARIZONA PESTICIDES ACT" (REGISTRATION LAW)
(A.R.S., TIT. 3-341 TO 3-357, SUPP. 1974-1975)

"ARIZONA PESTICIDE USE AND APPLICATION ACT"
(A.R.S., TIT. 3-371 TO 3-390, SUPP. 1974-1975)

STRUCTURAL PEST CONTROL
(A.R.S., TIT. 32-2301 TO 32-2325, SUPP. 1974-1975)

ARKANSAS

"ARKANSAS PESTICIDE CONTROL ACT" (REGISTRATION LAW)
(SESSION LAWS, 1975, PAGE 417; ACT 410, 1975, SENATE BILL 423)

"ARKANSAS PESTICIDE USE AND APPLICATION ACT"
(SESSION LAWS, 1975, PAGE 389; ACT 389, 1975; SENATE BILL 407)

"ARKANSAS PEST CONTROL LAW" (STRUCTURAL)
(SESSION LAWS, 1975, PAGE 571; ACT 488, 1975, SENATE BILL 413)

CALIFORNIA

ECONOMIC POISONS (REGISTRATION LAW)
(CAL. AGRIC. CODE, § 12751 TO 12994, SUPP. 1975)

RESTRISTRICTED MATERIALS LAW (2,4-D, 1080, THALLIUM, ETC.)
(CAL. AGRIC. CODE, § 14001 TO 14104, SUPP. 1975)

CALIFORNIA AGRICULTURAL CODE
(CAL. FOOD AND AGRIC. CODE, § 11401 to 12121, SUPP. 1975)

STRUCTURAL PEST CONTROL ACT
(CAL. BUS. & PROF. CODE, § 8500 TO 8697.6, WEST SUPP. 1975)

PESTICIDE POISONING
(WEST'S ANN. HEALTH & SAFETY CODE, § 2950, 1970)

COLORADO

"THE PESTICIDE ACT" (REGISTRATION LAW)
(COLO. REV. STAT. ANN., S 8-12-1 TO 8-12-17, 19XX)

"COMMERCIAL PESTICIDE APPLICATOR'S ACT"
(COLO. REV. STAT. ANN., S 6-14-1 TO 6-14-22, 19XX)

"STRUCTURAL PEST CONTROL ACT"
(COLO. REV. STAT. ANN., S 6-18-1 TO 6-18-19, 19XX)

CONNECTICUT

CONNECTICUT PESTICIDE CONTROL ACT
(GEN. STAT. CONN., S 22A 46 TO 22A 66, 1975)

DELAWARE

CHAPTER 12. PESTICIDES
(DELAWARE CODE, TIT. 3, S 1201 TO 1219, SUPP. 1972)

FLORIDA

"FLORIDA PESTICIDE LAW" (REGISTRATION LAW)
(FLA. STAT. ANN., S 487.011 TO 487.14, SUPP. 1974)

"FLORIDA PESTICIDE APPLICATION ACT OF 1974"
(FLA. STAT. ANN., S 487.151 TO 487.169, SUPP. 1974)

"PEST CONTROL ACT" (STRUCTURAL)
(FLA. STAT. ANN., S 482.001 TO 482.25, SUPP. 1974)

GEORGIA

"GEORGIA ECONOMIC POISON ACT"
(GA. CODE ANN., S 5-1502 TO 5-1516, 1970)

"GEORGIA PESTICIDE USE AND APPLICATION ACT"
(GA. CODE ANN., S 5-1501A TO 5-1523A, 1975)

"STRUCTURAL PEST CONTROL ACT"
(GA. CODE ANN., S 84-3401 TO 84-3423, 1970)

HAWAII

PEST CONTROL OPERATORS (STRUCTURAL)
(HAWAII REV. LAWS, S 460J-1 TO 460J-27, SUPP. 1974)

"HAWAII PESTICIDES LAW"
(HAWAII REV. LAWS, S 149A-1 TO 149A-53, SUPP. 1974)

IDAHO

"PESTICIDE LAW" (REGISTRATION LAW)
(IDAHO CODE, S 22-3401 TO 22-3416, SUPP. 1973)

"PESTICIDE USE AND APPLICATION LAW"
(IDAHO CODE, S 22-2208 TO 22-2223, SUPP. 1973)

ILLINOIS

"ECONOMIC POISON LAW" (REGISTRATION LAW)
(ILL. ANN. STAT., CH. 5 S 87(A)(1) TO 87(C)(13), SUPP. 1975-1976)

ILLINOIS
(con't)

CUSTOM APPLICATION OF PESTICIDES
(ILL. ANN. STAT., CH. 5 S 87(D)(1) TO 87(D)(17), SUPP. 1975-1976)

USE AND APPLICATION OF 2,4-D AND RELATED HERBICIDES
(ILL. ANN. STAT., CH. 5, S 87(A)(1) TO 87(A)(8), 1966)

"STRUCTURAL PEST CONTROL ACT"
(SESSION LAWS 1975, P. 717; PUBLIC ACT 79-578)

"PESTICIDES CONTROL LAW"
(ILL. ANN. STAT., CH. 5, S 256 TO 267, 1969)

INDIANA

PESTICIDES (REGISTRATION LAW)
(BURNS IND. STAT. ANN., CODE EDITION 15-3-3.5-1 TO 15-3-3.5-36, 1974)

INDIANA PESTICIDE USE AND APPLICATION LAW
(BURNS IND. STAT. ANN., CODE EDITION 15-3-3.6-1 TO 15-3-3.6-26, 1982)

IOWA

"PESTICIDE ACT OF IOWA"
(IOWA CODE ANN., S 206.1 TO 2022, SUPP. 1975-1976)

CHEMICAL TECHNOLOGY COMMISSION
(IOWA CODE ANN., S 1119.101 TO 1119.106, SUPP. 1971)

KANSAS

"KANSAS AGRICULTURAL CHEMICAL ACT OF 1947"
(KAN. STAT. ANN., S 2-2201 ET SEQ., 1964)

"KANSAS PESTICIDE USE LAW"
(KAN. STAT. ANN., S 2-2413 TO 2-2437, SUPP. 1974)

"KANSAS PEST CONTROL ACT"
(KAN. STAT. ANN., S 2-2401 TO 2-2412, SUPP. 1973)

KENTUCKY

"KENTUCKY PESTICIDE CONTROL ACT OF 1974" (REGISTRATION LAW)
(KY. REV. STAT., S 217.540 TO 217.640, 1974 CUM ISSUE)

"KENTUCKY PESTICIDE USE AND APPLICATION ACT OF 1972"
(KY. REV. STAT., S 217B.010 TO 217B.990, 1974 CUM ISSUE)

KENTUCKY TERMITE AND PEST CONTROL INDUSTRY LAW
(KY. REV. STAT., S 249.250 TO 249.340, 1974 CUM ISSUE)

KENTUCKY DEPARTMENT OF AERONAUTICS KAV-5
"AERIAL APPLICATORS"

LOUISIANA

REGISTRATION LAW
(LA. REV. STAT., S 3-1601 TO 3-1609, 1975)

LOUISIANA PESTICIDE CONTROL ACT
(LA. REV. STAT., S 3-1621 TO 3-1642, 1988)
(SESSION LAWS, 1975, PAGE 574; ACT 778, 1975; HOUSE BILL 1631)

LOUISIANA
(con't)

"STRUCTURAL PEST CONTROL LAW"
(LA. REV. STAT., S 40-1261 TO 40-1274, 1975)

LOUISIANA HORTICULTURE LAWS
(LA. REV. STAT., S 37-1961 TO 37-1975, 1964)

MAINE

MAINE PESTICIDE CONTROL ACT OF 1975 (REGISTRATION LAW)
(SESSION LAWS 1975, PAGE 469, CH. 382, HOUSE BILL 613)

BOARD OF PESTICIDES CONTROL
(ME. REV. STAT. ANN., TIT. 22, S 1471A TO 1471H, SUPP. 1975)

MARYLAND

"MARYLAND PESTICIDE REGISTRATION AND LABELING LAW"
(MD. AGRI. CODE ANN., S 5-101 TO 5-114, 1974)

MARYLAND PESTICIDE APPLICATORS LAW
(MD. AGRI. CODE ANN., S 5-201 TO 5-211, SUPP. 1975)

MASSACHUSETTS

PESTICIDES LAW (REGISTRATION LAW)
(MASS. ANN. LAWS, CH. 94B, S 11 TO 21, SUPP. 1975)

PESTICIDE BOARD - APPLICATION OF PESTICIDES
(MASS. ANN. LAWS, CH. 94B, S 21A TO 13, SUPP. 1975)

MICHIGAN

"INSECTICIDE FUNGICIDE AND RODENTICIDE ACT OF 1949" (REGISTRATION LAW)
(MICH. STAT. ANN., S 12-352(1) TO 12-352(13), 1973)

PESTICIDE APPLICATOR'S LAW
(MICH. STAT. ANN., S 12.353(1) TO 12.353(10), 1973)

MICHIGAN 2,4-D ACT
(MICH. STAT. ANN., 12.366, 1967)

MINNESOTA

MINNESOTA ECONOMIC POISONS AND DEVICES LAW (REGISTRATION LAW)
(MINN. STAT., S 24.069 TO 24.077, 1971)

MINNESOTA SPRAYING AND DUSTING LAW
(MINN. STAT., S 18.031 TO 18.036, 1971)

STRUCTURAL PEST CONTROL
(MINN. STAT., S 18A.01 TO 18A.11, 1971)

MISSISSIPPI

"MISSISSIPPI PESTICIDE LAW OF 1975" (REGISTRATION LAW)
(SESSION LAWS, 1975; CHAPT. 319, PAGE 55)

APPLICATION OF HORMONE-TYPE HERBICIDES BY AIRCRAFT
(MISS. CODE ANN., S 69.21 TO 69.21-27, 1972)

"MISSISSIPPI PEST CONTROL LAW" (PROFESSIONAL SERVICES)
(MISS. CODE ANN., S 69-19-1 TO 69-19-11, SUPP. 1974)

MISSISSIPPI
(con't)

"MISSISSIPPI PESTICIDE APPLICATION ACT OF 1975"
(SESSION LAWS, 1975; CHAPT. 318, PAGE 83)

"AGRICULTURAL AVIATION LICENSING ACT OF 1966"
(MISS. CODE ANN., § 69-21-101 TO 69-21-125, 1972)

MISSOURI

"MISSOURI ECONOMIC POISON LAW OF 1955"
(MO. REV. STAT., § 263.270 TO 263.380, 1957)

"MISSOURI PESTICIDE ACT OF 1974"
(SESSION LAWS, 1974, PAGE 137; SENATE BILL NO. 431)

MONTANA

"MONTANA PESTICIDES ACT"
(MONT. REV. CODES ANN., § 27-213 TO 27-245, SUPP. 1974)

NEBRASKA

ECONOMIC POISON DEVICES LAW
(REV. STAT. NEBR., § 2-2601 TO 2-2611, SUPP. 1974)

AERONAUTICS (AERIAL APPLICATORS LAW)
(REISSUE REV. STAT. NEBR., § 3-128, 1962)

NEVADA

"NEVADA PESTICIDES ACT" (REGISTRATION LAW)
(NEV. REV. STAT., § 586.010 TO 586.430, 1965)

CUSTOM APPLICATION OF PESTICIDES
(NEV. REV. STAT., § 555.260 TO 555.460, 1974)

NEW HAMPSHIRE

ECONOMIC POISON LAW (REGISTRATION LAW)
(N. H. REV. STAT. ANN., § 438.1 TO 438.17, SUPP. 1974)

PESTICIDES CONTROL LAW
(N. H. REV. STAT. ANN., § 149D.1 TO 149D.11, SUPP. 1975)

NEW JERSEY

"NEW JERSEY ECONOMIC POISON ACT OF 1951"
(N. J. STAT. ANN., § 4:8A-1 TO 4:8A-27, 1973)

"PESTICIDE CONTROL ACT OF 1971"
(N. J. STAT. ANN., § 13:1F-1 TO 13:1F-14, SUPP. 1975-1976)

NEW MEXICO

"PESTICIDE CONTROL ACT"
(N. M. STAT. ANN., § 45.21-1 TO 45.25-35, SUPP. 1975)

NEW YORK

ECONOMIC POISON LAW (REGISTRATION LAW)
(N. Y. ENVIR. CON. LAW, § 33-0101 TO 33-0721 AND § 33-1301 TO 33-1303, 1973)

CUSTOM APPLICATION OF PESTICIDES
(N. Y. ENVIR. CON. LAW, § 33-0901 TO 33-0905, SUPP. 1974)

NEW YORK
(con't)

PESTICIDES (HERBICIDES) IN GRAPE VINEYARDS (PROTECTION OF GRAPE GROWING AREAS
(N. Y. ENVIR. CON. LAW, § 33-1101 TO 33-1105, 1973)

NORTH CAROLINA

"STRUCTURAL PEST CONTROL ACT OF NORTH CAROLINA OF 1955"
(N. C. GEN. STAT., § 106-65.22 TO 106-65.36, SUPP. 1973)

"NORTH CAROLINA PESTICIDE LAW OF 1971"
(N. C. GEN. STAT., § 143.434 TO 143.470, 1974)

NORTH DAKOTA

"INSECTICIDE FUNGICIDE AND RODENTICIDE ACT OF 1947" (REGISTRATION LAW)
(N. D. CENT. CODE, § 19-18-01 TO 19-18-11, 1971)

"NORTH DAKOTA PESTICIDE ACT OF 1975"
(N. D. CENT. CODE, § 4-35-01 TO 4-35-26, SUPP. 1975)

AERIAL SPRAYING (SPRAYING, DUSTING, FERTILIZING AND INSECT CONTROL)
(N. D. CENT. CODE, § 2-05-18, SUPP. 1973)

OHIO

ECONOMIC POISON LAW (REGISTRATION LAW)
(OHIO REV. CODE, § 921.11 TO 921.16, SUPP. 1974)

PESTICIDE USE AND APPLICATION ACT
(OHIO REV. CODE, § 921.41 TO 921.53, SUPP. 1974)

CONTROL MEASURES FOR HERBICIDES
(OHIO REV. CODE, § 921.06 TO 921.07, 1974)

OKLAHOMA

OKLAHOMA PESTICIDE LAW (REGISTRATION LAW)
(OKLA. STAT. TIT. 2, § 3-61 TO 3-70, 1971)

"OKLAHOMA PESTICIDE APPLICATORS LAW"
(OKLA. STAT. TIT. 2, § 3-81 TO 3-88, 1971)

OKLAHOMA PHENOXY HERBICIDE LAW
(OKLA. STAT. TIT. 2, § 3-251 TO 3-259, 1971)

"STRUCTURAL PEST CONTROL ACT"
(OKLA. STAT. TIT. 2, § 3-171 TO 3-180, 1971)

ORNAMENTAL SPRAYING AND PRUNING LAW
(OKLA. STAT. TIT. 2, § 3-271 TO 3-279, 1971)

WOOD PRESERVATIVE LAW
(OKLA. STAT. TIT. 2, § 3-301 TO 3-309, 1971)

OREGON

"STATE PESTICIDE CONTROL ACT"
(ORE. REV. STAT., § 634.006 TO 634.992, SUPP. 1974)

PENNSYLVANIA

"PENNSYLVANIA PESTICIDE CONTROL ACT OF 1973"
(PA. STAT. ANN., TIT. 3, § 111.21 TO 111.61, SUPP. 1975-1976)

PENNSYLVANIA
(con't)

PENNSYLVANIA GRADE HERBICIDE ACT (1965)
(PA. STAT. ANN. TIT. 3, § 214.51 ET SEQ., 1963)

RHODE ISLAND

ECONOMIC POISON LAW (REGISTRATION LAW)
(R. I. GEN. LAWS ANN., § 23-41-1 TO 23-41-12, SUPP. 1974)

"THE RHODE ISLAND PESTICIDE CONTAOL LAW" (1970)
(R. I. GEN. LAWS ANN., § 23-41.1-1 TO 23-41.1-25, SUPP. 1974)

SOUTH CAROLINA

"SOUTH CAROLINA PESTICIDE CONTROL ACT" (1975)
(SESSION LAWS, 1975, PAGE 281; RATIFICATION NO. 299; S.B. 34)

SOUTH DAKOTA

"INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT OF 1947" (REGISTRATION LAW)
(S. D. CODE § 39.19.01 TO 39.19.32, 1960)

AN ACT RELATING TO THE USE OF PESTICIDES
(S. D. CODE § 38.21.14 TO 38.21.55, 1974)

TENNESSEE

"TENNESSEE INSECTICIDE, FUNGICIDE, AND RODENTICIDE LAW" (1951)
(TENN. CODE ANN., § 43-701 TO 43-713, 1974)

"TENNESSEE PEST CONTROL OPERATORS ACT OF 1972"
(TENN. CODE ANN., § 62.2101 TO 62.2123, SUPP. 1974)

LICENSING REQUIREMENTS FOR COMMERCIAL AERIAL APPLICATORS
(TENN. CODE ANN., § 43.2901 TO 43.2909, SUPP. 1974)

TEXAS

"TEXAS PESTICIDE CONTROL ACT"
(SESSION LAWS, 1975, PAGE 1117; SENATE BILL 616, 1975)

TEXAS HERBICIDE LAW
(TEX. REV. CIV. STAT. ANN., ART. 135B-4, SUPP. 1974)

"TEXAS STRUCTURAL PEST CONTROL ACT" (1971)
(TEX. REV. CIV. STAT. ANN., ART. 135B-6, SUPP. 1974)

UTAH

"INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT OF 1951" (REGISTRATION LAW)
(UTAH CODE ANN., § 4-4-1 TO 4-4-13, 1971)

"ECONOMIC POISON APPLICATION ACT OF 1951"
(UTAH CODE ANN., § 4-4-14 TO 4-4-29, 1971)

"UTAH PESTICIDE CONTROL ACT"
(UTAH CODE ANN., § 4-4-30 TO 4-4-40, 1971)

VERMONT

PESTICIDE REGISTRATION ACT (REGISTRATION LAW)
(VT. STAT. ANN., TIT. 6, § 911 TO 928, 1972)

CONTROL OF PESTICIDES
(VT. STAT. ANN., TIT. 6, § 1101 TO 1109, SUPP. 1975)

VIRGINIA

"VIRGINIA PESTICIDE LAW" (REGISTRATION LAW)
(VA. CODE ANN., S 3.1-189 TO 3.1-249, 1973)

"VIRGINIA PESTICIDE USE AND APPLICATION ACT OF 1975"
(VA. CODE ANN., S 3.1-249.1 TO 3.1-249.21, SUPP. 1975)

WASHINGTON

"WASHINGTON PESTICIDE CONTROL ACT" (REGISTRATION LAW)
(WASH. REV. CODE, S 15.58.010 TO 15.58.910, SUPP. 1974)

"WASHINGTON PESTICIDE APPLICATION ACT"
(WASH. REV. CODE, S 17.21.010 TO 17.21.931, SUPP. 1974)

WEST VIRGINIA

"PESTICIDE ACT OF 1961" (REGISTRATION LAW)
(W. VA. CODE ANN., S 19-16A, 1-13, 1966)

"THE WEST VIRGINIA PESTICIDE USE AND APPLICATION ACT OF 1975"
(W. VA. CODE ANN., S 19-16B-1 TO 19-16B-26, SUPP. 1982)

"THE INTERAGENCY PESTICIDE COMMITTEE ACT"
(W. VA. CODE ANN., S 19-12C, 1-7, 1966)

WISCONSIN

PESTICIDE REVIEW BOARD
(WIS. STAT., S 15.195, 1967)

WYOMING

"WYOMING ENVIRONMENTAL PESTICIDE CONTROL ACT OF 1973"
(WYO. STAT. ANN., S 35-262.1 TO 35-262.33, SUPP. 1973)

AERIAL SPRAYING
(WYO. STAT. ANN., S 10-4 TO 10-9, 1957)

PUERTO RICO

"ECONOMIC POISON ACT"
(P. R. LAWS ANN., TIT. 5, S 1001 TO 1013, SUPP. 1973)

HERBICIDE USE AND APPLICATION LAW
(P. R. LAWS ANN., TIT. 5, S 1014 TO 1016, 1963)

"AN ACT TO REGULATE THE COMMERCIAL APPLICATION OF INSECTICIDES AND/OR ECONOMIC POISONS IN PUERTO RICO" (1966)
(P. R. LAWS ANN., TIT. 10, S 976 TO 976(H), SUPP. 1973)

VIRGIN ISLANDS

"VIRGIN ISLANDS PESTICIDE CONTROL ACT"
(TIT. 12, V. I. CODE, CHAPT. 19, S 801 TO 822)
(BILL NO. 6703, ELEVENTH LEGISLATURE; ACT 3750, 1975)

AMERICAN SAMOA

ECONOMIC POISONS
(CODE AMER. SAMOA, TIT. 22, S 20.0801 ET SEQ.)

GUAM

ECONOMIC POISON LAW

EXPLANATION OF DIGEST FORMAT

TITLE

THE MAJORITY OF PESTICIDE LAWS CONTAIN A TITLE IN THE TEXT OF THE STATUTE, IN WHICH CASE THE TITLE IS ENCLOSED IN QUOTATION MARKS.

THE CODE CITATION IS GIVEN WHEN AVAILABLE, BUT IN MANY CASES LAWS ENACTED DURING 1975 HAVE NOT AS YET BEEN CODIFIED, I.E., THEY REMAIN AS SESSION LAWS.

PROHIBITED ACTS

ONLY THE PRINCIPAL PURPOSE OF THE ACT IS INCLUDED, THERE ARE MANY OTHER PROHIBITED ACTS IN STATUTES AND REGULATIONS. IN REVIEWING THE LAWS AN ATTEMPT WAS MADE TO DETERMINE IF THE STATE ACT REQUIRED LICENSING OR CERTIFICATION OF PERSONS WHO USE RESTRICTED PESTICIDES.

EXEMPTIONS

DETERMINE WHETHER OR NOT PERSONS WERE EXEMPT FROM CERTIFICATION WHEN USING RESTRICTED PESTICIDES.

LICENSING OR CERTIFICATION

INTENDED TO BRING OUT SOME DETAIL IN THIS AREA. IN A NUMBER OF JURISDICTIONS THE CATEGORIES OF APPLICATORS ARE ESTABLISHED BY REGULATION AND THE TERMS HAVE BEEN IN USE FOR MANY YEARS. FIFRA AND FEDERAL REGULATIONS ARE, AND WILL REQUIRE, NEW CATEGORIES AND SUB-CATEGORIES.

AUTHORIZATIONS

IN SOME CASES THE AUTHORITIES WHICH STATE PESTICIDE CONTROL OFFICIALS EXERCISE MAY BE FOUND IN REGULATIONS AND ARE INCLUDED, OTHERS MAY STEM FROM ATTORNEY GENERAL OPINIONS, CASE LAW, OR BY IMPLICATION OR INTERPRETATION.

FINANCIAL RESPONSIBILITY

DEFINITIONS

TERMS DEFINED IN LAW ARE VERY OFTEN THE KEY ELEMENTS IN PROPER INTERPRETATION, AND A REVIEW OF THE TERMS WILL GIVE A GOOD PICTURE OF THE SCOPE OF THE LAW, E.G., WHERE THE TERM "RESTRICTED USE PESTICIDE" IS INCLUDED IN THIS SECTION, IT CAN BE ASSUMED THAT THEY ARE REGULATED IN SOME MANNER.

PESTICIDE BOARD

INCLUDED INFORMATION AS TO THE EXISTENCE AND AUTHORITIES OF APPOINTED PERSONS WHO EXERCISE SOME INFLUENCE, EITHER STRONG OR WEAK, OVER PESTICIDE USAGE.

PENALTIES

CIVIL/CRIMINAL - FOR THE PURPOSE OF THIS SECTION A CIVIL PENALTY IS CONSIDERED TO BE ONE WHICH IS IMPOSED BY AN INDIVIDUAL IN THE EXECUTIVE BRANCH OF GOVERNMENT, AUTHORIZED TO DO SO BY THE LEGISLATURE; WHILE A CRIMINAL PENALTY IS CONSIDERED TO BE ONE LEVIED BY A COURT OF LAW WITHIN THE JUDICIAL BRANCH OF GOVERNMENT, AS PROVIDED BY STATUTE.

RELEVANT LAWS

STATE STATUTES RELATING, OR HAVING RELEVANCY TO PESTICIDES.

THE WORD "OR" HAS BEEN USED TO MEAN BOTH "AND" AS WELL AS "OR"; AS A NUMBER OF COURTS HAVE HELD. A WISCONSIN COURT HAS SAID THE TERM "AND/OR" IS AN ABOMINATION, AND THE WORD "OR" IS SUFFICIENT.

U.S. GOVERNMENT PRINTING OFFICE: 1976-[illegible]